

John H. Bruins, of New York.  
 Joseph F. Burt, of Illinois.  
 Alfred D. Cameron, of Washington.  
 Flavius J. Chapman, 3d, of Virginia.  
 William W. Corcoran, of Massachusetts.  
 C. Paul Fletcher, of Tennessee.  
 Joseph T. Gilman, of Massachusetts.  
 George J. Haering, of New York.  
 Benjamin M. Hulley, of Florida.  
 Paul W. Meyer, of Colorado.  
 Austin R. Preston, jr., of New York.  
 Edwin Schoenrich, of Maryland.  
 Winfield H. Scott, of the District of Columbia.  
 George E. Seltzer, of New York.

## UNITED STATES DISTRICT JUDGE

Guy L. Fake, of New Jersey, to be United States district judge, district of New Jersey, vice James W. McCarthy, resigned.

## UNITED STATES ATTORNEYS

Samuel W. McNabb, of California, to be United States attorney, southern district of California. (A reappointment, his term expiring February 2, 1929.)

John Buckley, of Connecticut, to be United States attorney, district of Connecticut. (A reappointment, his term having expired.)

APPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY  
GENERAL OFFICER*To be brigadier general, reserve*

Brig. Gen. Ludwig Shaner Conelly, Ohio National Guard, from January 31, 1929.

## HOUSE OF REPRESENTATIVES

Monday, February 4, 1929

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Great and marvelous are Thy works, Lord God Almighty, just and holy are Thy ways. Behind all are intelligence and will which sway an unseen scepter; help us to believe that the power is personal. Let the chant of creation become the song of redemption. In the gladness of this faith, O God, keep us and direct us. In all the works of Thy hands may we behold Thee and see the blessed smile of our Father in Heaven. We thank Thee for that love that always finds its way. Many waters can not quench it, floods can not drown it, and time can never change it. Thou who hast laid upon the altar of the world's need the best wisdom and the divinest love, minister unto our sorrowing Member as he bears the weight of a loss which all the world can not replace. Sustain him with the light that never fails and with the strength that never breaks. All through the Christ our Savior. Amen.

The Journal of the proceedings of Saturday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill and concurrent resolution of the House of the following titles:

H. R. 10774. An act for the relief of the Carlisle Commission Co.; and

H. Con. Res. 48. Concurrent resolution to provide for the printing of 2,500 copies of the consolidated hearings on "Tariff readjustment, 1929."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 5350. An act to amend the air commerce act of 1926 with reference to the examination and rating of schools giving instruction in flying; and

S. 5578. An act recognizing the heroic conduct, devotion to duty, and skill on the part of the officers and crew of the U. S. S. *America*, and for other services.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2366) entitled "An act to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BLAINE, Mr. HASTINGS, and Mr. COPELAND to be the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. REED of Pennsylvania and Mr. FLETCHER members of the joint select committee provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the War Department.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 16301) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1930, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WARREN, Mr. SMOOT, Mr. JONES, Mr. OVERMAN, and Mr. GLASS to be the conferees on the part of the Senate.

## HAWESVILLE &amp; CANNELTON BRIDGE CO.

Mr. GARDNER of Indiana. Mr. Speaker, on January 24, 1929, I introduced H. R. 16565, a bill authorizing the Hawesville & Cannelton Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Cannelton, Ind., in the district I represent.

On January 28, 1929, I answered certain questions in regard to the proposed bridge as asked me by the Committee on Interstate and Foreign Commerce. For the information of the House I desire to extend my remarks in the RECORD by inserting my letter to the Committee on Interstate and Foreign Commerce in regard to this matter.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The matter referred to is as follows:

CONGRESS OF THE UNITED STATES,

HOUSE OF REPRESENTATIVES,

Washington, D. C., January 28, 1929.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,

House of Representatives, Washington, D. C.

Hon. JAMES B. PARKER, Chairman.

In re: H. R. 16565.

GENTLEMEN: I have your letter of January 25 in regard to H. R. 16565, a bill authorizing the Hawesville & Cannelton Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Cannelton, Ind.

In answer to your questions 1, 2, 3, 4, and 5:

1. Q. Is there a ferry now in operation at or near the proposed location of the bridge upon which tolls are charged for crossing the river?—A. There is now a ferry being operated between Cannelton and Hawesville on which tolls are charged for crossing the river. This ferry is doing an ever-increasing business.

2. Q. Are the people in the vicinity of the proposed bridge desirous of having a toll bridge constructed at that place?—A. Yes; they are strongly urging the construction of such a bridge.

3. Q. Is there manifest any considerable public sentiment in favor of the construction of such a bridge?—A. I have in my possession resolutions adopted in favor of the construction of said bridge setting forth the benefit to be derived, and the advantages of the erection of a bridge at this location, and the favorable topographical conditions, narrowness of the river, ideal conditions for approaches, and the shallow depth necessary to reach solid-rock foundation, and stating that a bridge can be built between Hawesville, Ky., and Cannelton, Ind., at a lower cost than at any other point on the Ohio River having the same traffic possibilities. These resolutions are signed by public officials and leading citizens of Perry County, Ind., in which Cannelton is located, and by public officials and leading citizens of Hancock County, Ky., in which Hawesville is located. And I know of no objection to the erection of said bridge.

4. Q. Is the State or county or municipality in which the bridge is to be located in a financial condition to finance and construct a free bridge at that location?—A. No; I do not believe the States, nor the counties, nor the municipalities in which the bridge is to be located are in a financial condition to finance the construction of a bridge now or in the near future.

5. Q. In your judgment, is there a probability that the State or county or municipality will, in the near future, construct a free bridge at that location?—A. I do not think that there is a possibility of a bridge being built at this location at this time, nor at any time in the near future, by the States or counties or municipalities in which the bridge is proposed to be located, nor at any point near this location. The only opportunity for these people to secure the benefit of a bridge is by constructing one in the manner that the Hawesville & Cannelton Bridge Co. have undertaken, and as provided for in this bill. I have gone into this matter thoroughly, and I am satisfied that there is no opportunity for the people who are interested in this proposed bridge to get a bridge constructed in any way other than the way pro-

posed by the Hawesville & Cannelton Bridge Co. and as is provided for in this bill. This bridge if erected would be a wonderful help to the people of the district I represent in Indiana and to the people of the district in Kentucky in which Hawesville is located, represented by Hon. DAVID H. KINCHELOE, and would be beneficial to the highway system.

Cannelton is the county seat of Perry County, Ind., and the southern termini of State Roads No. 37 and No. 64 in Indiana and is only 28 miles from State Road No. 62. Hawesville is the county seat of Hancock County, Ky., and is on Federal highway No. 60, and this bridge would form a connecting link between the State and Federal highways of Kentucky and the State and Federal highways of Indiana.

About 90 per cent of the mail, express, and passenger service to and from Cannelton, Tell City, and Troy, Ind., is by way of Hawesville, Ky., and the Louisville, Henderson & St. Louis Railway.

The ferry service is now very inadequate for this service, and especially is this true in the winter when there is ice in the river and during times of high water.

There is now no bridge spanning the Ohio River up the river between this point and Louisville, Ky., and no bridge spanning the Ohio River down the river between this point and Evansville, Ind.

The erection of a bridge at this location would be very helpful, not only to a deserving people in the locality in which the proposed bridge is to be erected but to the general traveling public, and it is very desirous that permission be given at this session of Congress for the construction of this bridge. I therefore earnestly request that this committee give early and favorable action on this bill.

Respectfully submitted.

FRANK GARDNER, *Member of Congress.*

[H. R. 16565, 70th Cong., 2d sess.]

IN THE HOUSE OF REPRESENTATIVES,  
January 24, 1929.

Mr. GARDNER of Indiana introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

A bill (H. R. 16565) authorizing the Hawesville & Cannelton Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Cannelton, Ind.

*Be it enacted, etc.,* that in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, Hawesville & Cannelton Bridge Co., its successors and assigns, be and are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at or near Cannelton, Perry County, Ind., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon Hawesville & Cannelton Bridge Co., its successors and assigns, all such rights and power to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Hawesville & Cannelton Bridge Co., its successors and assigns, are hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Indiana, the State of Kentucky, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 10 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 6. Hawesville & Cannelton Bridge Co., its successors and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the Highway Departments of the States of Indiana and Kentucky a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Hawesville & Cannelton Bridge Co., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to Hawesville & Cannelton Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. All contracts made in connection with the construction of the bridge authorized by this act and which shall involve the expenditure of more than \$5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the States in which the bridge is located and in the vicinity thereof; sealed bids shall be required and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway departments of the States in which such bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

SEC. 9. The right to alter, amend, or repeal this act is hereby expressly reserved.

#### COAST GUARD STATION, QUILLAYUTE RIVER

Mr. HOCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 14151 and agree to the Senate amendment.

The SPEAKER. The gentleman from Kansas asks unanimous consent to take from the Speaker's table the bill H. R. 14151 and agree to the Senate amendment. The Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 14151) to provide for establishment of a Coast Guard station at or near the mouth of the Quillayute River in the State of Washington.

The Senate amendment was read.

Mr. CRAMTON. Reserving the right to object, which I shall not do, when the bill was before the House I asked why that language was stricken out which has now been restored by the Senate.

Mr. HOCH. I may say that I looked up the basic law, and I am satisfied that the amendment is not at all necessary, but the Senate has put it in and there is no objection to it.



Mr. CRAMTON. There is no reason for putting it back in?  
Mr. HOCH. The committee considered it surplusage and I still consider it surplusage.

Mr. BANKHEAD. Has the gentleman consulted the ranking minority member of the committee?

Mr. HOCH. I have.

The Senate amendment was agreed to.

ADDRESS OF HON. CONRAD G. SELVIG

Mr. CLAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a radio address by the gentleman from Minnesota [Mr. SELVIG], delivered at Washington, D. C., February 2, 1929, on "A Better Day for Agriculture."

The SPEAKER. Is there objection?

There was no objection.

Mr. CLAGUE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio address by the gentleman from Minnesota [Mr. SELVIG] delivered at Washington, D. C., February 2, 1929:

#### A BETTER DAY FOR AGRICULTURE

It is a great pleasure for me to speak to this far-flung radio audience this evening.

The farmers of the United States look forward to the coming season with hope. In this they are justified. They have every reason to believe that the American Nation will fulfill the pledges made in behalf of our rural population.

A challenge has aroused America. It is the challenge of an unsolved problem. It is the challenge to place agriculture upon a plane of economic equality, to bring more satisfaction to our farmers, to make more smooth the path of the tillers of the soil.

It has taken long years to bring our people to a realization of its responsibility to our farmers and to bring home the accepted fact that the welfare of our Nation demands that we safeguard our agriculture. Not to do this would be the height of folly.

George Washington, in a letter to the Marquis de Lafayette, written at Mount Vernon January 29, 1789, emphasized the transcending importance of agriculture and extolled its handmaid—industry. In this letter he expresses his conviction that both should go forward together, that industry should be encouraged, but with "no diminution in agriculture" and "not to the prejudice of agriculture."

In this letter he displayed the rare statesmanship that always characterized his views. Modern-day statesmen, grappling with the acute agricultural problems that were left us as a heritage of the World War, can well take note of his words.

In his address to both Houses of Congress, January 8, 1790, George Washington said:

"The advancement of agriculture [which he placed first], commerce, and manufactures, by all proper means, will not, I trust, need recommendation."

There is a suggestion in Washington's words that should be heeded in the United States to-day. To provide equal opportunity for the farmer is one of the great tasks that confront present-day statesmanship.

Nearly 69 years ago Abraham Lincoln made a statement in which there is a prophetic note. He said:

"It also follows that that interest [referring to agriculture] is most worthy of all to be cherished and cultivated; that if there be inevitable conflict between that interest and any other, the other should yield."

These words are as true to-day. The American farmer must be given equal opportunity, an equal chance. He does not ask for more. The Nation can not afford to give him less.

In the year 1928 the people of the United States participated in a nation-wide referendum of the farm question. Citizens from every section took part. A conclusion was reached. It was that something be done; that constructive action be taken.

#### FARM TARIFF REVISION

A beginning has already been made. A special session of Congress will be held. During that session will be undertaken tariff revision in the interests of agriculture. The openly avowed purpose of the proposed tariff adjustments, I take it, is for the benefit of the farmers. This is the understanding, also, of millions of farmers in our land. Through tariff revision the farmers are to be given more fully their own domestic market for the products of their labor, freed from foreign importations of competitive agricultural products.

The farmers are in earnest about this. The testimony presented before the Ways and Means Committee last week gave ample evidence of their faith and sincerity.

The tariff requests made by the farmers were scientifically and forcefully presented. From east, north, south, and west the farmers' spokesmen were practically unanimous regarding necessary tariff adjustments. Agriculture stood united.

The farmers, for the first time in history, spoke in a single voice in their own behalf. There was no criticism of any other group. There was no opposition voiced against any other industry. The farmers simply presented the tariff needs for agriculture, that was all.

This is good news to all engaged in farming the country over. Look back to the year 1922, when the hearings were held on the present tariff act, and note the contrast. The difference is highly significant. In 1922 food processors, importers, manufacturers, wholesalers, storage and commission firms, and the middlemen, did nearly all of the testifying. The farmers themselves were not conspicuous at those hearings.

We were too near the close of the war period at that time for agriculture to have formulated a tariff policy. This year it is different. Research bureaus have secured the facts and expert economists employed by the farmers themselves have compiled the evidence for presentation to the public. The farmers have learned during the past seven years how to make their voice potent in legislative halls. They know that mere opinions have little weight with the legislators. They know that hard, cold facts and undisputed evidence must be given. I rejoice with the farmers of America in the accomplishment of this important step.

#### THE BATTLE NOT YET WON

None must be deluded, however, by thinking that the mere presentation of requests before a committee is sufficient in and of itself to win the case. The farmers must be persistent in their endeavors, not only to secure adequate tariff duties on competitive agricultural products and by-products, but to resist any plan to skyrocket the industrial tariff rates.

I am sure that the farmers want to be fair in this matter. I am equally certain that there is no disposition nor intention on the part of the Congress to hand the farmers a legislative gold brick. The welfare of both industrial and agricultural groups is so intimately intertwined and interrelated that they go up or down together.

In order to keep the record straight, however, I desire to submit that in the present tariff act, which it is now proposed to revise, the manufactured commodities now enjoy a much higher rate of protection than do most of our agricultural products.

#### PRESENT TARIFF ACT ANALYZED

Figures from official sources tell the story. The average ad valorem rate given manufactured products, the so-called industrial commodities, in the 1922 tariff act is approximately 40 per cent. The average ad valorem rate given agricultural products is approximately 22 per cent. Let me cite the average ad valorem rates of the following classes of manufactured goods:

<i>Schedule (1927)—Average ad valorem rate of duty to values of dutiable merchandise, unweighted</i>	<i>Per cent</i>
Chemicals, oils, and paints	28
Earths, earthenware, and glassware	48
Metals and manufactures of	35
Silk and silk goods	56
Sundries	39
Cotton manufactures	36

Average duty on above 6 schedules

40

The average is 40 per cent.

Now let us turn to a few of the agricultural schedules:

#### *Commodity (1927)—Equivalent ad valorem, unweighted*

	<i>Per cent</i>
Sheep	25
Swine	4
Butter	35
Poultry, dead	22
Corn	19
Wheat	32
Oranges	18
Flaxseed	23
Peas, green	20
Potatoes	30

Average duty on imported agricultural products, excluding free list

22

The average is 22 per cent.

Bear in mind, too, that not all of the agricultural tariff rates in the present tariff act are effective. This still further widens the gap that exists between the tariff protection actually given agricultural products in comparison with nonagricultural commodities.

#### FARMERS DEMAND PARITY

The farmers now demand that they be placed on a parity with industry from the standpoint of tariff benefits. The farmer knows that he will gain little or nothing from increased tariff protection on farm products if on the other hand his farming expenses and cost of living are unduly increased.

To put it bluntly and plainly, tariff parity as between agriculture and industry can only be secured by leaving industry with substantially its present tariff rates and increasing the duty on agricultural products up to the level now enjoyed by industry.

Perhaps there are a few industrial schedules that should be increased. Doubtless there are also import duties which should be lowered. This should be done if the tariff protection afforded any industry has made possible monopolistic control, and this has been followed by unduly enhanced prices.

In determining whether the tariff rates on manufactures should be raised, a study should be made of the price level of industrial stocks

during the past few years to ascertain definitely which industries are barely struggling along on account of disastrous foreign competition. This survey would develop whether there is any industry in our country to-day so poor as is agriculture.

Christmas-time bonuses might be investigated, in order to throw light upon the financial conditions of the industries and corporations now seeking higher protection. Stock dividends should be gone into. The ratio between actual and capitalized value of the manufacturing plants might throw some light on the problem.

I am convinced that the members of the committee are determined to seek out all the information which will assist them in reporting a bill with tariff rates that will be fair and equitable both to agriculture and to industry.

The responsibility of the farmers themselves did not cease when their spokesmen submitted the tariff rates wanted. That is too much like expecting a resolution adopted at a mass meeting to result in a miracle.

A careful study will have to be made of all the tariff increases requested. The interests of labor, of consumers in both urban and rural areas, of producers, be they manufacturers or farmers, must be considered.

I can see definite benefits come to the farmers of the United States if protective rates are granted. Consumers will not be penalized if this Nation adopts and carries through the policy of encouraging and expanding domestic production on a basis that gives our farmers a chance to live according to the American standard.

Consumers need have no fears. Six and one-half million producing units, which is approximately the number of farms in the United States, will assure our consuming public ample and well-stocked larders. It is equally certain that the farmers can have no desire to harm industry. The people living in the industrial centers are the farmers' best buyers. The interests of both groups must be safeguarded.

#### FEDERAL FARM BOARD

In addition to farm tariff adjustments, the special session of Congress will consider the so-called farm-relief legislation as well. This is an urgent problem. It centers around the establishment of a Federal farm board which will be intrusted with the tremendous task of seeking to improve our farm marketing system.

1. A fundamental task assigned this board will be to prevent seasonal market gluts to depress unduly the market. The solution will probably run in the direction of assisting the producers themselves to stabilize the flow to market of their products at a price that includes the cost of efficient production plus a reasonable profit.

2. Such a Federal farm board would give some attention to the attempt to adjust production to probable consumptive demands. This task will be less difficult if and when a proper farm tariff is secured, because this same tariff, if properly framed, will aid in controlling our surplus. We import our surplus at the present time. We do not produce it. Imports of competitive agricultural products annually displace the production of nearly 70,000,000 acres. Tariff adjustments can assist in diverting production from the so-called export products to products which are on a domestic competitive basis.

3. The Federal farm board will also have to be given authority to handle any exportable surplus in a manner that will permit the domestic producer to secure the tariff benefit and to have it reflected in the price that he receives.

One of three courses must be followed in dealing with this problem: Either (a) the producers must curtail production to the domestic basis; or (b) there must be imposed an equalization fee on the entire production to finance the losses on the part sold abroad; or (c) there must be provided an export premium on the part sold in the foreign market. As I said before, our tariff policy can be of great help in dealing with this problem.

4. The proposed Federal farm board will also be of great assistance in eliminating unnecessary middlemen services, and speculative profit-takers in the marketing process.

A stupendous task confronts Congress in shaping the so-called farm relief legislative program. There is no intention to dodge this responsibility.

#### OTHER MEASURES

The entire farm problem, however, is not solely wrapped up with the farm tariff and a Federal farm board. It is not so simple as that.

1. Fundamentally, efficient production is at the foundation of a successful agriculture. This means securing maximum yields at a minimum of cost, in line with the American standard of living. Nothing can take the place of efficient production which includes the increased use of farm machinery, of labor-saving devices of all kinds, and which looks forward to the utilization of farm power, of fertilizers, of pure-bred sires, of cow-testing associations, of better seed and of following the most approved farm practices. These are fundamental aspects. Nothing can be substituted which will make inefficient production profitable.

2. Research in agriculture is required. The utilization by industry of waste products of the farm is in special need of investigation. Augmented farm extension services are needed. Organized farm groups have never before had such an unusual opportunity for service as now.

Self-improvement programs for and by individuals themselves are indispensable. A modern, forward-looking rural education policy is essential.

3. The farmers need a more equitable system of taxation.

4. The farmer needs credit on terms comparable with rates given other groups.

5. The farmer needs lower freight costs. The continued development of inland waterways is necessary. The Great Lakes-St. Lawrence deep-sea waterway must be constructed.

The entire evening could be spent in enlarging upon these matters, but time does not permit.

I said at the outset that the farmers of the United States look forward to the coming season with hope. In this they are justified. I believe 1929 will be an epochal one for agriculture.

#### DISTINGUISHED VISITORS

Mr. BROWNING. Mr. Speaker, the House is honored at this time by the presence in the gallery of the heads of several distinguished service organizations, and I would like to present them. We have from Baltimore, Md., Hon. John R. King, representing the commander in chief, and he a past commander in chief, of the Grand Army of the Republic; from Savannah, Ga., Hon. William L. Grayson, commander in chief United Spanish War Veterans; from Boston, Mass., Hon. Eugene P. Carver, jr., commander in chief Veterans of Foreign Wars; from Cincinnati, Ohio, Hon. Millard W. Rice, national commander of the Disabled American Veterans. [Applause, Members rising.]

#### OFFICERS AND CREW OF THE U. S. S. "AMERICA"

Mr. TILSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 5578 and consider the same.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to take from the Speaker's table the bill S. 5578 and consider the same. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

S. 5578, Seventieth Congress, second session

An act (S. 5578) recognizing the heroic conduct, devotion to duty, and skill on the part of the officers and crew of the U. S. S. *America*, and for other purposes

*Be it enacted, etc.*, That the term "crew" as used in this act shall mean and include any person carried on the ship's register or serving on the ship in any capacity, regardless of rank or rating, at the time of the rescue referred to in this act.

SEC. 2. That the thanks and appreciation of the Congress of the United States be, and they are hereby, tendered to the officers and crew of the U. S. S. *America* as constituted on January 23, 1929, for the heroic conduct shown and noble service rendered in the rescue of the officers and crew of the Italian steamship *Florida*.

The bill was ordered to be read a third time, was read the third time, and passed.

#### CONSENT CALENDAR

The SPEAKER. The Clerk will call the Consent Calendar.

#### BRIDGE ACROSS MISSISSIPPI RIVER AT BATON ROUGE

The first business on the Consent Calendar was the bill (S. 2449) to authorize the construction of a bridge across the Mississippi River at or near the city of Baton Rouge, in the parish of East Baton Rouge, and a point opposite thereto in the parish of West Baton Rouge, State of Louisiana.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLACK of Texas. Mr. Speaker, at the request of the Member who is interested in this bill, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. The gentleman from Texas asks unanimous consent that the bill may be passed over without prejudice. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, on which side is he entered?

Mr. BLACK of Texas. I really do not know. He is a Member from Louisiana, and he says that he is interested in the bill.

The SPEAKER. Is there objection?

There was no objection.

#### MECHANICAL REPRODUCTION OF MUSIC

The next business on the Consent Calendar was the bill (H. R. 13452) to amend the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909, as amended, in respect to mechanical reproduction of musical compositions, and for other purposes.

The Clerk read the title of the bill.



The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BUSBY. Mr. Speaker, I reserve the right to object.

Mr. VESTAL. Mr. Speaker, I hope the gentleman will not object to this bill. I was about to ask unanimous consent that the bill be passed over this morning. We have some matters under consideration and hope to get out of the bill some of the features that are objectionable, and we think we may be able to iron them out.

Mr. BUSBY. When is it the purpose of the chairman to call this up again? To-day or at a later date?

Mr. VESTAL. I would like to call it up to-day later, if these objections are eliminated.

Mr. BUSBY. I can not see that that would get us anywhere, because it would merely require my presence here all of the time. If it is passed over until a later date I shall not object at this time.

Mr. HUDSPETH. But they are trying now to iron out some of the differences.

Mr. BUSBY. I know, but this is not the time to iron out the differences, after we have gotten into the calling of the calendar.

Mr. LAGUARDIA. If the gentleman is not on the floor, I shall hold it over until next consent day.

Mr. BUSBY. But we can agree that it can go over until next consent day, and then neither the gentleman nor I would have to stay here. The question is whether or not these differences may be ironed out, and not having been ironed out I would not want it to go through.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. BUSBY. Yes.

Mr. LANHAM. There have been negotiations in regard to ironing out these difficulties, and it is possible, even probable, that they will be ironed out so that the bill will be taken up later in the day. I think the gentleman could be notified in case the differences have been ironed out, and then no snap judgment would be taken on him.

Mr. BUSBY. Who is doing this ironing out on this bill?

Mr. LANHAM. Mr. Speaker, the bill is entirely satisfactory to everybody concerned, except with reference to one particular group as to the effect of the provisions of the bill. They are endeavoring to draft an amendment and have now an amendment under consideration which will make the bill entirely satisfactory to that group, and if that is consummated, then there will be no objection whatever to the bill from anybody who has ever appeared before the committee.

Mr. BURTNESS. Mr. Speaker, will the gentleman from Texas yield to me for a moment?

Mr. LANHAM. Yes.

Mr. BURTNESS. Does that group represent the retailers of music? Some of us are having wires from retailers of music and retailers of phonographs and radios, and so forth, seriously objecting to the bill. Is the group that is being consulted representatives of that industry?

Mr. LANHAM. I do not know that they are all retailers, except that they are the people who make mechanical records from whom the retailers get the records. Of all the people who have appeared before the Committee on Patents with reference to this measure, no dissatisfaction has been expressed with the provisions of the bill except by the group to whom I refer.

Mr. BURTNESS. Have the retailers been considered in connection with the matter?

Mr. LANHAM. We have considered the bill for about eight years and I think everybody has been before us.

Mr. BURTNESS. Some retailers wire me to the effect that the bill is a hold-up on the part of the New York publishers. I do not know anything about that. I am not here to object to the bill.

Mr. BUSBY. The retailer speaks largely for the public. The report on the bill says that the copyright holders and manufacturers seem to be getting in accord behind this legislation; but there is still another group for whom the retailers speak, and that is the public; and they are the ones that I am trying to represent here in offering my objection to this legislation.

Mr. BURTNESS. I have reached no conclusion on the bill. I am not here to object, but I wondered if the differences were ironed out whether it would include the retailer.

Mr. BUSBY. I do not think that would be satisfactory to me.

Mr. LAGUARDIA. Of course, if you are considering the public, the gentleman also wants to consider the composers and the authors.

Mr. BUSBY. But there is another story than is stated by that question. It is this—that a monopoly is provided in accordance with the Constitution, but the question is, How far can one who has that monopoly insist that he be protected? And that is the proposition that I am dealing with.

Mr. CHINDBLOM. Mr. Speaker, further reserving the right to object, I want to suggest I do not think it is possible to hold this bill over to-day and reach a conclusion to-day. We have many interests during the afternoon, and I for one would like to have a little time. I would have to leave a committee this afternoon to do this.

Mr. BUSBY. Mr. Speaker—

Mr. VESTAL. I am asking unanimous consent that the bill be passed over without prejudice and retain its place on the calendar.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the bill be passed without prejudice and retain its place on the calendar. Is there objection?

Mr. BUSBY. That, I understand, passes it over for this day?

The SPEAKER. It can only be brought up by unanimous consent.

Mr. BUSBY. But it could not be brought up under that request to-day?

The SPEAKER. It could be by unanimous consent.

Mr. BUSBY. That does not satisfy me, because I do not want to sit here all day. If the request does not carry it over until the next consent day, I am going to object.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

The SPEAKER. Is there objection?

Mr. DYER. The statement of the gentleman from Indiana ought to be sufficient, that he wished it to go over.

Mr. BUSBY. If he makes that statement—

Mr. VESTAL. I have already made the statement.

Mr. BUSBY. I did not hear it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

#### WATERS OF THE NORTH PLATTE RIVER

The next business on the Consent Calendar was the bill (H. R. 7026) granting the consent of Congress to compacts or agreements between the States of Colorado and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. TAYLOR of Colorado. Mr. Speaker, there is no one interested in this bill except the people of the States of Colorado, Wyoming, and Nebraska, and the Representatives of those States are trying to reach an agreement, which I think we will, and I ask unanimous consent that this bill and the one following it remain on the calendar and be passed without prejudice. I am exceedingly anxious to have these two bills passed before this session of Congress adjourns.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

#### CERTAIN INSANE CITIZENS OF ALASKA

The next business on the Consent Calendar was the bill (H. R. 170) to provide for the care of certain insane citizens of the Territory of Alaska.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I object.

The SPEAKER. It requires three objections.

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, I have given some study to it, and I will withdraw my former objection and am for the bill except for a perfecting amendment. These dangerous insane in Alaska can not safely be cared for at the Morningside institution in Oregon, but at the present time they are taken in the State institution under contract with the State of Oregon. That institution is becoming congested, and it may not be possible to continue them later in that institution. Hence, the reason for this bill, to permit their transfer to St. Elizabeths.

I want to make this suggestion: I think the bill ought to be phrased so as to leave it discretionary with the department either to take these insane to a State institution on the coast or to bring them to St. Elizabeths. Of course, if they can not be placed in a State institution, they ought to be brought to St. Elizabeths. I think it ought to be discretionary.

Mr. BLANTON. Mr. Speaker, I make an objection.

The SPEAKER. Three objections have been made. The Clerk will report the next bill.

#### CLASSIFICATION OF CHIPPEWA INDIANS OF MINNESOTA

The next business on the Consent Calendar was the bill (H. R. 12414) authorizing the classification of the Chippewa Indians of Minnesota, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. I ask unanimous consent, Mr. Speaker, that this bill be passed over without prejudice.

The SPEAKER. The gentleman from Michigan asks unanimous consent that this bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

#### CREATION OF INDIAN TRUST ESTATES

The next business on the Consent Calendar was the bill (H. R. 7204) to authorize the creation of Indian trust estates, and for other purposes.

The title of the bill was read.

The SPEAKER. The bill requires three objections.

Mr. CRAMTON. I ask unanimous consent, Mr. Speaker, that it be passed over without prejudice. It may be reached on the Wednesday calendar, or it may not.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

#### RELIEF OF CONTRACTORS FOR PUBLIC BUILDINGS

The next business on the Consent Calendar was the bill (H. R. 13857) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

#### ADDITIONAL JUDGE, MIDDLE DISTRICT OF PENNSYLVANIA

The next business on the Consent Calendar was the bill (H. R. 16034) to authorize the President of the United States to appoint an additional judge of the District Court of the United States for the Middle District of the State of Pennsylvania.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, the gentleman from Pennsylvania [Mr. GRAHAM] is absent to-day, and has asked particularly that this matter be passed over without prejudice. Speaking for him, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentlemen from Michigan asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. SCHAFER. Reserving the right to object, Mr. Speaker, during the debate on the floor of the House the other day we were told that we did not have sufficient judges to take care of Federal cases, particularly alleged prohibition violations. Now we have a chance to increase the number of judges, so that the people will not have to wait a year or a year and a half before their cases are reached.

Mr. HOOPER. I ask the gentleman under the circumstances to withhold his objection.

Mr. CRAMTON. Mr. Speaker, in connection with what the gentleman from Wisconsin [Mr. SCHAFER] has said, as I understand it, none of these additional judge bills which have been sent over to the Senate from this body have been passed by the Senate. That is true, is it not? I will ask the gentleman from Missouri [Mr. DYER] if that is not the case? Has the Senate passed any of these additional judge bills?

Mr. DYER. None of them that we have sent over has come back from the Senate.

Mr. CRAMTON. It would be more practical, then, to have those bills passed than to give an appropriation of \$24,000,000 for the enforcement of prohibition.

Mr. DYER. Mr. Speaker, in answer to the inquiry of the gentleman from Michigan, I may say that it has been stated by the Commissioner of Prohibition that it would be impossible for him to use the \$24,000,000 in furtherance of the work of enforcing the law because the courts are clogged with cases pending for action. It is said that the judges give most all of their time to prohibition, and that many cases are awaiting trial and that the only way for those who are charged with the violation of the law to get rid of their cases is to plead guilty.

Mr. BLANTON. Is it the purpose of the gentleman from Pennsylvania [Mr. GRAHAM] and the purpose of the gentleman from Missouri [Mr. DYER] to enforce prohibition by having this additional judge in Pennsylvania?

Mr. DYER. I will say to the gentleman from Texas that while I did not vote for prohibition originally, every vote that

has been cast by me since it became a law has been for the purpose of enforcing it in every way.

Mr. BLANTON. How about the gentleman's vote on the \$24,000,000 enforcement amendment?

Mr. DYER. I voted against that because it is my opinion and of most everyone, generally speaking, outside of those who wish to play a little cheap politics, that it would be disastrous to the cause of prohibition to force money upon the officials when they say they can not use it under present conditions.

Mr. BLANTON. That is Mr. Mellon's idea.

Mr. LAGUARDIA. Mr. Speaker, I ask for the regular order.

Mr. DYER. Mr. Speaker, in response to the request of the gentleman from Pennsylvania [Mr. GRAHAM] this bill has been reported by the Committee on the Judiciary. I ask that it be passed over without prejudice. It has the unanimous report of the Committee on the Judiciary; at least, no objection has been made to it in the committee. I ask that it be passed over without prejudice.

Mr. HOOPER. There are several Members who are very anxious to have some further information on this matter. I would like to have it understood that it is the request of the gentleman from Pennsylvania, not of myself.

Mr. DYER. Mr. Speaker, the gentleman from Pennsylvania [Mr. GRAHAM] is the chairman of the committee. Evidently he is not upon the floor and the gentleman may be speaking for him, as he evidently is; but as a member of that committee, I feel it is not necessary for any one Member to be here for the purpose of enacting legislation that is needed.

Mr. LAGUARDIA. Perhaps the gentleman from Missouri can give the information that many Members of the House seek.

Mr. DYER. The report shows that there is very great need for this legislation.

Mr. BLANTON. Mr. Speaker, I ask for the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan that the bill may be passed over without prejudice?

Mr. DYER. Mr. Speaker, I object.

Mr. BLANTON. And, Mr. Speaker, I object to the consideration of the bill.

The SPEAKER. Objection is heard.

#### JOINT-STOCK LAND BANKS

The next business on the Consent Calendar was the bill (S. 4039) to exempt joint-stock land banks from the provisions of section 8 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, as I stated before, I can not see any purpose in amending the law so as to permit interlocking directors to sit on these boards. As I said before, what will happen will be that they will take the good loans and send them to their own banks and dump the bad loans on the joint-stock land banks, so I am going to object.

Mr. McFADDEN. I hope the gentleman will reserve his objection.

Mr. LAGUARDIA. I will reserve it in order to permit the gentleman to make a statement.

Mr. McFADDEN. I want to reiterate that which I said the other day when this matter came up, that it was never intended when this law was passed to include these banks. These are not commercial institutions but are merely mortgage-loan banks.

Mr. LAGUARDIA. I do not agree with the gentleman's viewpoint, as shown in his statement, that all the brains of the country are on the present boards of the banks.

Mr. McFADDEN. I did not intend to give that impression, but it would greatly help the management of these institutions to have the kind of direction which they would secure from bankers who are more or less familiar with the loan business, and I think they should have the right to serve on these boards. The Federal farm-loan system is asking for this legislation, and the request is indorsed by the Federal Reserve Board.

Mr. LAGUARDIA. Mr. Speaker, I shall object.

#### DISPOSAL OF MATERIAL TO THE SEA SCOUT DEPARTMENT OF THE BOY SCOUTS OF AMERICA

The next business on the Consent Calendar was the bill (H. R. 15577) authorizing the Secretary of the Navy to dispose of material to the sea-scout department of the Boy Scouts of America.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?



Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, are there any gentlemen on the floor from the Naval Affairs Committee? If there is no one here who can give the information I desire, I will ask that the bill be passed over without prejudice.

Mr. HALE. I do not know that I can give the gentleman the information he desires, but I will do so if I can.

Mr. LAGUARDIA. This bill provides for the turning over of material by the Navy to the Boy Scouts. It is based on a bill which was heretofore passed authorizing the turning over of aviation material, but in that bill a clause was inserted which provided that the material turned over could not be used for flying. The gentleman understands the purpose of that. The purpose was that if we turned over obsolete equipment we did not want to endanger the lives of anyone by having them use it for flying purposes. I find from the report that it is intended to turn over certain cutters, and what I want to know is this: If a cutter becomes obsolete and is unfit for use by the Navy, is it not unsafe to turn it over to the Boy Scouts?

Mr. HALE. As I recall, that suggestion was made in the committee. I think the language of the bill takes care of that by putting it in the discretion of the Secretary of the Navy. That is so, is it not?

Mr. LAGUARDIA. Yes; but the bill provides for the disposal of "such condemned or obsolete material as may not be needed for the Navy." Now, when we provided for the turning over of aviation equipment it was specifically provided that it could not be used for flying purposes. My fear is that if we turn this obsolete material over to the Boy Scouts it would endanger their lives if they used it on the water. If it is condemned and obsolete material that is not seaworthy for the Navy, how could it be seaworthy for the Boy Scouts?

Mr. HALE. If it is not seaworthy material, then it should not be turned over to the Boy Scouts for that purpose. If the gentleman has in mind an amendment that would safeguard the matter, I am sure the committee would be glad to accept it, but it seems to me that the language in the bill, providing that it shall be turned over only at the discretion of the Secretary of the Navy takes care of that situation. As I say, that feature was discussed in the committee.

Mr. LAGUARDIA. The bill provides for the turning over of—

Such condemned or obsolete material as may not be needed for the Navy.

Mr. HALE. Of course, the Secretary of the Navy ought not to turn over to the Boy Scouts any material that it is not safe for them to use.

Mr. LAGUARDIA. Exactly, and it is for that reason that I suggest that something should be included in this bill which would be along the line of the provision carried in the bill providing for the turning over of aviation equipment.

Mr. BURTNESS. If the gentleman will permit, some equipment might be obsolete but not unseaworthy.

Mr. LAGUARDIA. Not if it is condemned, and that is what I fear.

Mr. BURTNESS. But if it were limited to obsolete material, the situation would be entirely different.

Mr. LAGUARDIA. Yes; I agree with the gentleman, but I am afraid of the other language.

Mr. HALE. Has the gentleman an amendment prepared?

Mr. LAGUARDIA. No. I think the gentleman had better look into it further, and we will pass it the next time.

I ask unanimous consent, Mr. Speaker, that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

HAY GROWERS IN BRAZORIA, GALVESTON, AND HARRIS COUNTIES, TEX.

The next business on the Consent Calendar was the bill (H. R. 15892) for the relief of hay growers in Brazoria, Galveston, and Harris Counties, Tex.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, reserving the right to object, and I do not intend to object. I will say to the gentleman, but I have had no report from the department on this particular bill. Does the department report favorably upon it?

Mr. HUDSPETH. Yes, it does, I will state to my friend from Michigan, and also the Comptroller General. The Comptroller General reports favorably, and also prepared the bill, I will say to the gentleman.

Mr. HOOPER. I personally have no objection to the bill.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I shall object unless the gentleman agrees to an amend-

ment. This is the proposition: Here are certain acts by employees or officials of the Department of Agriculture. I do not think they ought to pass upon their own acts, and the amendment which I suggest is, on page 1, where the bill now provides "to be found and reported by the Secretary of Agriculture," to insert "and determined by him," the Comptroller General.

Mr. HUDSPETH. I will state to my friend from New York that the bill leaves it to the determination of the Comptroller General, and the gentleman's amendment would be surplusage, because he has to pass upon it under the terms of the bill.

Mr. LAGUARDIA. Permit me to read it. The bill now provides—

on the basis of facts and figures to be found and reported by the Secretary of Agriculture.

Mr. HUDSPETH. Yes.

Mr. LAGUARDIA. My amendment would provide—

That the Comptroller General of the United States be, and he is hereby, authorized and directed to examine and settle, on the basis of facts and figures to be found and determined by him.

Mr. HUDSPETH. I will state to my friend from New York, if he will read the report of the Comptroller General he will find that he has already reported favorably.

Mr. LAGUARDIA. All right.

Mr. HUDSPETH. I do not think the proposed amendment hurts, except in this way: We want to substitute the Senate bill for the House bill, the Senate bill being identical, and the proposition of the gentleman would prevent us from doing that.

Mr. LAGUARDIA. It would, of course, have to go back to the Senate.

Mr. HUDSPETH. Of course, the gentleman can offer his amendment to the Senate bill if he insists upon it. But I trust he will not insist upon the amendment. It is wholly unnecessary.

Mr. UNDERHILL. Under the bill it does go to the Comptroller General.

Mr. LAGUARDIA. I do not see how my amendment would hurt.

Mr. UNDERHILL. Only it would necessarily have to go back to the Senate and the matter undoubtedly is taken care of now.

Mr. HUDSPETH. I trust the gentleman from New York will not insist on his amendment. The object now is to substitute the Senate bill for the House bill so it may pass at this session. I may say to the gentleman that the Comptroller General prepared this bill.

Mr. LAGUARDIA. I do not see why we can not amend the Senate bill.

Mr. HUDSPETH. Oh, yes; we can amend the Senate bill if the gentleman insists on his amendment, but it is absolutely unnecessary.

Mr. LAGUARDIA. I think it is the proper thing to do.

Mr. HUDSPETH. I do not see a great deal of harm it can do except that it will delay the matter that much and perhaps necessitate a conference. The bill passed the committee unanimously and if the gentleman will read the Comptroller General's report he will find that he reports favorably now and suggested the bill that my colleague from Texas [Mr. MANSFIELD] introduced.

Mr. LAGUARDIA. I spent most of my Sunday reading the bill and the report.

Mr. HUDSPETH. I hope the gentleman will not object because the matter is left to the Comptroller General absolutely. He went into the matter fully and recommended the identical bill which my colleague introduced.

Mr. UNDERHILL. The bill came from the Comptroller General.

Mr. LAGUARDIA. Is the gentleman from Massachusetts [Mr. UNDERHILL] satisfied that the Comptroller General can disregard the facts and figures submitted to him?

Mr. UNDERHILL. He does right straight along.

Mr. LAGUARDIA. But in this instance, as a matter of law?

Mr. UNDERHILL. Yes.

Mr. LAGUARDIA. The gentleman from Massachusetts is a kind of a shark on these things, and if he is satisfied I am.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 4818) may be considered in lieu of the House bill.

The SPEAKER. The gentleman from Texas asks unanimous consent that a Senate bill (S. 4818) may be considered in lieu of the House bill. Is there objection?

Mr. SCHAFFER. Mr. Speaker, reserving the right to object, has the Senate bill got the same amendments?

Mr. MANSFIELD. Yes; it is identical.

Mr. SCHAFFER. With the limitation with respect to attorneys' fees?

Mr. MANSFIELD. Yes; absolutely.

Mr. HUDSPETH. Yes; we had that placed in the Senate bill.

Mr. LAGUARDIA. Mr. Speaker, further reserving the right to object, I notice that the House bill is a direct appropriation and not an authorization.

Mr. UNDERHILL. The Committee on Claims has that right.

Mr. DYER. Further reserving the right to object, may I inquire if the Texas delegation is united in support of this bill?

Mr. HUDSPETH. In this instance I assure the gentleman the delegation is absolutely united.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none and the clerk will report the Senate bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States be, and is hereby, authorized and directed to examine and settle, on the basis of facts and figures to be found and reported by the Secretary of Agriculture, the claims of hay growers in Brazoria, Galveston, and Harris Counties, Tex., who were prevented during the year 1925 from harvesting their hay because of quarantine restrictions against the spread of the hoof-and-mouth disease: *Provided*, That the allowance made on any such claim shall not exceed the amount paid thereon by the Livestock Sanitary Commission of Texas, pursuant to an act of the State legislature approved October 6, 1926. There is hereby appropriated, from any money in the Treasury not otherwise appropriated, a sufficient amount, not to exceed \$218,177.50, to enable the Secretary of the Treasury to pay such of the claims as may be allowed by the Comptroller General: *Provided*, That no part of the amount of any item appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum which in the aggregate exceeds 10 per cent of the amount of any item appropriated in this act on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

A similar House bill was laid on the table.

#### YUMA MESA AUXILIARY PROJECTS

The next business on the Consent Calendar was the bill (H. R. 15918) to amend an act entitled "An act to authorize credit upon the construction charges of certain water-right applicants and purchasers on the Yuma and Yuma Mesa auxiliary projects, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. CRAMTON. Reserving the right to object, I would like to have further opportunity to study this bill. The Yuma situation is rather complicated. I ask unanimous consent that the bill go over without prejudice.

Mr. DOUGLAS of Arizona. What is the information the gentleman desires?

Mr. CRAMTON. I want to study the situation, and I have not yet had an opportunity to do it. I will do so before the next Consent Calendar is taken up.

Mr. DOUGLAS of Arizona. Is the gentleman going to object?

Mr. CRAMTON. I shall have to do it to-day.

The SPEAKER. Is there objection to the request of the gentleman from Michigan that the bill go over without prejudice?

There was no objection.

#### SALE OF GOVERNMENT-OWNED LAND IN MANCHESTER, N. H.

The next business on the Consent Calendar was the bill (S. 4739) authorizing the Secretary of the Treasury to sell certain Government-owned land at Manchester, N. H.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, this authorizes the sale of Government-owned property to an identified purchaser. This is a very unusual situation.

Mr. HALE. The land is in the city of Manchester, in my district. The proceeding is somewhat unusual, and I recognize the propriety of the gentleman's question. This is a Treasury Department bill. The joint committee on public buildings has

made a trade which is exceedingly advantageous for the Government for a piece of land which the Government does not need. The proceeds of this sale, I understand, are to be applied to the purchase of land on the other side for the construction of an addition to a Manchester public building.

Mr. LAGUARDIA. Then it is not a trade, but the sale of one piece of land and the purchase of another?

Mr. HALE. That is true, of course. The joint committee had in mind something in the nature of a trade. It had in mind the sale of this portion of the Government-owned land and the purchase of other land on the other side. The New Hampshire Fire Insurance Co. is the adjoining owner, and it has constructed a fine building. The land which it is proposed to sell them is 25 feet front, and nobody would want it except the fire insurance company. They have offered a price which is twice as much per foot as the Government is paying for land on the other side.

I may say that I think the gentleman from New York wants to be fair about it, and under ordinary circumstances I think the proposed amendment ought to be made requiring it to be sold at public auction. But the situation is this: We are very anxious—and so is the Treasury Department—to have the legislation passed as it has passed the Senate. If it is amended there is a hazard about the amendment becoming adopted in the other body. There are tenants who are in an uncomfortable situation and do not know whether to move or not. For that reason it seems desirable that the legislation be passed.

Mr. SCHAFFER. Reserving the right to object, do I understand the gentleman to state that not far from the land covered in this bill the Government is to purchase land at twice the amount that the land is to be sold for?

Mr. HALE. No; it is to purchase land for one-half the amount that this is to be sold for—about \$3 a foot; and we are getting for the land we are selling \$6 a foot.

Mr. SCHAFFER. What is the assessed value of land in that vicinity?

Mr. HALE. I have not the assessed value, but the land we are selling is right across the street from the land we are to purchase on the other side; precisely the same location.

Mr. LAGUARDIA. The gentleman's argument is almost irresistible, but not quite, and I am constrained to object.

Mr. Speaker, I ask unanimous consent that the bill may be passed temporarily to give the gentleman from New Hampshire an opportunity to prepare an amendment.

The SPEAKER. The gentleman from New York asks unanimous consent that the bill be passed temporarily. Is there objection?

There was no objection.

#### SEA SCOUTS OF AMERICA

Mr. BRITTEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 1096 (H. R. 15577), to authorize the Secretary of the Navy to dispose of obsolete material to the sea scout department of the Boy Scouts of America.

The SPEAKER. The gentleman from Illinois asks unanimous consent to return to Calendar No. 1096. Is there objection?

Mr. SCHAFFER. Mr. Speaker, I reserve the right to object. Has the Member who made the objection when the bill was before us a few minutes ago withdrawn his objection?

Mr. BRITTEN. Mr. Speaker, it was passed over without prejudice. I was not in the room.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Navy is hereby authorized, in his discretion, to dispose of without charge, except for transportation and delivery, to the sea scout department of the Boy Scouts of America such condemned or obsolete material as may not be needed for the Navy, and such other material as may be spared at prices representing its fair value to the Navy.

Mr. BRITTEN. Mr. Speaker, there appears to be no objection to this bill from the department or from the Director of the Budget. The bill merely authorizes the Navy Department to convey to the sea scouts of America such obsolete material as the department has no use for—old rowboats, sails, spars—with which these boys may play and practice on the seacoast and on the shores of the inland lakes.

Mr. LAGUARDIA. Mr. Speaker, the gentleman will remember when we passed a similar bill turning over certain aviation property we provided that it could not be used for flying purposes. My fear is this: If you turn over some property that is not seaworthy the boys may be endangered by using it.

Mr. BRITTEN. Mr. Speaker, the gentleman's fear is very well founded. The very object of turning over this obsolete



material to the Boy Scouts is to make ship carpenters and real sailormen out of them and to teach them in the craft of seamanship. There are 600,000 boys in the major organization to-day, and 200,000 men. It is an organization incorporated by an act of Congress in 1916. The gentleman may be assured that the objection he has referred to in respect to flying material does not enter into this situation at all.

Mr. Speaker, the organization known as the Boy Scouts of America was incorporated by the act approved June 15, 1916 (U. S. C. title 36, sec. 21), the purpose of which was stated as follows:

The purpose of the corporation shall be to promote, through organization and cooperation with other agencies, the ability of boys to do things for themselves and others, to train them in scoutcraft, and to teach them patriotism, courage, self-reliance, and kindred virtues, using the methods which were in common use by Boy Scouts on June 15, 1916.

While sea scouting as a branch of the Boy Scouts of America dates back to the early days of the scout movement in this country, it was only two years ago that the sea scout department was officially organized in order to meet a wide and growing demand for progressive training of older boys—from 15 to 19 years of age—in seamanship and water activities generally, under the direction of able seamen.

The sea scout program is essentially a program for older boys. Its ultimate objectives are the same as those of land scouting. The promotion and carrying out of this program is similar in nearly every way to land scouting, the only essential difference being in the type of activities, the uniform, and requirements.

The activities of sea scouts are concerned with things connected with the water—swimming, sailing, rowing, sea history, marlinespike seamanship, ground tackle, life aboard ship, rules of the road at sea, foreign commerce, navigation, piloting, signaling, and cruising.

The sea scout department is operated, as are all other departments of the national council of the Boy Scouts of America, through its executive board, with a director known as the national sea scout director. A committee, known as the national sea scout committee, serves as an advisory committee to the executive board in all matters relating to sea scouting. This committee is made up of representative men throughout the country who are interested in the sea scout program for scouts.

Mr. Speaker, there are approximately 700 individual councils of the Boy Scouts of America, scattered over practically the entire United States, with a total enrollment of 800,000 men and boys—200,000 men and 600,000 boys. In any of these local councils, where there is a sufficient number of older boys 15 years of age and over, a sea scout "ship," as the unit of organization in sea scouting is called, may be organized.

Under high-grade leaders these older boys, as sea scouts, continue their training in character development and citizenship and are instructed in the art of seamanship through the use of boats and yachts, acquiring as well a sound knowledge of international trade through literature and a consciousness of the glorious traditions of the sea history of our country. The major work of training sea scouts in seamanship is done in whaleboats.

The attached copy of the sea scout manual will give an idea of the scope and all-around character of the training which sea scouts receive. On enrolling as a sea scout, each boy is required to take the following sea promise:

On my honor, I will do my best—

1. To learn swimming and always be prepared to render aid to those in need in connection with water accidents.
2. To make it my practice to know the location of the life-saving devices on every boat I board; and to mentally outline my responsibility in maintaining order for myself and shipmates in case of emergency.
3. To be vigilant and cautious, always guarding against water accidents.
4. To cooperate with the responsible authorities for the observance of all regulations for the conduct and safety of boats and ever seek to preserve the motto of the sea, "Women and children first."

At the present time there are about 300 sea scout "ships" in the United States, and it is hoped ultimately to establish sea scout units in each of the 700 councils of the Boy Scouts. The present aim of the sea scout department is for a total enrollment of 100,000 sea scouts. The attached tables show the number of sea scout units that had been organized up to and including December 31, 1928, arranged by regions, cities, and States, with the total enrollments in each.

An interesting development in the sea scout movement has been the increase in the number of cruises made on rivers in the interior parts of the country, where groups of sea scouts have built their own boats, rigged them with outboard motors, and made long cruises, lasting two and three and even four

weeks. That the sea scout program is not one for the sea coast only is proved by the fact that the majority of the units now in existence are in the interior parts of the country, where the activities are carried out on small rivers and lakes.

Mr. Speaker, almost on the threshold of its history, the sea scout movement was given an opportunity to demonstrate its ability to develop character and inculcate in its members the importance of the motto, "Be prepared." A prominent Arctic explorer, Capt. John Borden, of Chicago, who having made all preparations for an exploration of the Arctic on a sailing vessel to collect specimens of fauna for the Field Museum, was confronted with the problem of selecting a crew for his vessel. Owing to the many unusual circumstances surrounding this expedition, the standards which these men had to meet were unusually high and a search through the usual channels failed to produce one man.

High moral character, perfect physical fitness, ability to endure hardships, thorough knowledge of seamanship—such were the minimum standards.

Being convinced that among its ranks there were many young men who could live up to these standards, the sea scout leaders of Chicago offered to Captain Borden the services of eight sea scouts. They were examined and found fully qualified.

In April, 1927, they set sail from San Francisco on the 140-foot auxiliary schooner *Northern Light*, and for five months cruised in the waters of the Pacific Ocean, Bering Sea, and the Arctic Ocean. One of the most ideal adventures for boys that could be conceived—helping in all of the work aboard ship; collecting the specimens for the museum; studying various parts of the north-land, and arriving back in San Francisco, having fulfilled to the very utmost all of the promises that were made for them.

This is the first time in the history of polar expeditions that a boat has gone into the Arctic with a deck crew entirely composed of boys under 19 years of age.

This event proves three things: First, that the training given to young men in sea scouting helps to put into practice in a very splendid way the character training given to them in the land scout troops; second, that the average American boy can adjust himself to conditions at sea after training in sea scouting; third, that the sea scout programs opens up to the boys of America opportunities for adventure such as all boys crave, and this, under circumstances where they are surrounded by all the precautions for safety, high-grade leadership, and preparedness.

It is interesting also to note that Paul A. Siple, the Boy Scout who was chosen to accompany Commander Byrd on his Antarctic expedition, is a member of the crew of the sea scout ship *Niagara* of Erie, Pa. He received his first experience of training in seamanship on a whale boat.

At the time of the hurricane disaster in Florida, the sea scouts rendered valiant service. According to a statement from the relief detail in that section of the Everglades in Florida, the gallant little group of sea scouts in Sarasota, Fla., under the direction of County Judge A. R. Clark, "did more work and accomplished more results in this grim job than all of the adult relief workers in the territory combined."

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. MICHENER. Does this require the department to turn over all this surplus or the condemned property?

Mr. BRITTEN. No; it merely authorizes it to so dispose of obsolete material.

Mr. MICHENER. To turn it over to the sea scouts?

Mr. BRITTEN. Yes.

Mr. MICHENER. The gentleman makes a distinction between the sea scouts and the Boy Scouts?

Mr. BRITTEN. Yes; they operate independently.

Mr. MICHENER. For instance, under existing law, where the department disposes of this condemned property by public sale, would this prevent the Boy Scouts from bidding for some of this material?

Mr. BRITTEN. Not a bit. On the contrary, the bill provides where the material, although obsolete, has some cash value, the department may sell it to the sea scouts at its cash value to the department.

Mr. MICHENER. I do not know anything about the sea scouts, unless they are a part of the Boy Scouts, and the Boy Scouts in my district during last year received some of these boats, purchased from the Coast Guard on the Great Lakes. Would this prevent the sale or delivery to the Boy Scouts of America of any of this material?

Mr. BRITTEN. Not at all.

Mr. MICHENER. And give preference to the sea scouts?

Mr. BRITTEN. Oh, no. The gentleman will be surprised to learn that there are nearly 300 units of sea scouts in the United States.

Mr. MICHENER. I am not surprised at all, but I do not want to consent to any legislation here that will make it possible on the part of the department or mandatory on the part of the department to turn over to the sea scouts property to the detriment of the Boy Scouts.

Mr. BRITTEN. That is true. I agree with the gentleman, but there is nothing like that in the legislation.

Mr. Speaker, instances could be cited where sea scouts have been instrumental in saving persons from drowning, and where assistance has been rendered to boats and ships in distress by sea scouts while on training cruises.

Sea scout training is of considerable assistance in the training of young men entering colleges and universities, who enroll in the Naval Reserve Officers' Training Corps, since they have usually spent one or two years learning the rudiments of sea scouting and much time is saved in their preliminary seamanship instructions. The sea scout organization is a very valuable source of supply of desirable personnel for the Navy and the Naval Reserve. Recently one reserve division was filled by enrolling ex-sea scouts and another reserve division includes almost a complete troop of ex-sea scouts.

In order to encourage sea scout movement as much as possible, the Secretary of the Navy, on May 15, 1927, authorized all force commanders, commanding officers of ships, commanders of districts, navy yards, and stations, to cooperate, as far as circumstances permit, whenever an application bearing the approval of the national headquarters of the Boy Scouts of America is received from a duly accredited representative of the organization of the sea scouts department. Individual officers, both active and retired, were requested to lend their aid and encouragement. Attention was invited, however, to the fact that no provision of law permitted the loan of property or the expenditure of naval funds.

At the present time, under the law, the Navy Department is limited in the sale of material to sea scout organizations by the act of July 9, 1918 (40 Stat. 850), which restricts such sales to materials procured during the war period. Under this authority, pulling boats, and more recently power boats, procured during the war period, are offered for sale to sea scout organizations for training purposes, prior to offering such boats at public sale. However, the sea scouts are very desirous of being permitted to buy other articles of equipment, such as sextants, compasses, flags, masts, sails, oars, etc. With this in mind, and in order to be able to cooperate more fully, the Navy Department has recommended the enactment by Congress of the bill now before the House.

The enactment of this bill will permit the Secretary of the Navy to render such assistance to the sea scout department of the Boy Scouts of America as may be practicable, without cost, or at little cost, to the Navy Department.

The legislation proposed will not result in any increased cost to the Government.

Mr. LAGUARDIA. Will the gentleman object to striking out the words "condemned or," in line 6?

Mr. BRITTEN. No; I have no objection to that, and shall move such an amendment.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk again read the bill.

Mr. BRITTEN. Mr. Speaker, I move to strike out the words "condemned or" in line 6 of the bill.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

Mr. SCHAFER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SCHAFER. I don't think this bill has gone by the objection stage. The gentleman asks unanimous consent to return to the calendar.

The SPEAKER. The Chair put the question as to whether there was objection to the present consideration of the bill. The bill has been read and the gentleman from Illinois now offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BRITTEN: Line 6, after the word "such," strike out the words "condemned or."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### BUST OF LIEUTENANT GILLISS

The next business on the Consent Calendar was the bill (H. R. 13935) to provide for the purchase of a bronze bust of the late Lieut. James Melville Gilliss, United States Navy, to be presented to the Chilean National Observatory.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, will the gentleman from Massachusetts [Mr. LUCE] consent to the usual amendment that I offer to bills of this kind?—

*Provided*, That such bust shall be the work of an artist who is a citizen of the United States.

Mr. LUCE. Mr. Speaker, a good opportunity has not hitherto presented itself for me to express my views upon the suggestion of the gentleman from New York [Mr. LAGUARDIA]. I regret to say that his view of the matter does not appeal to me.

In this particular instance the request came from the Secretary of the Navy. No Member of the House has any personal interest in the matter, and the question raised can be met without any factor of prejudice. So I think we might as well have this issue faced at the moment. While it is true that we desire to encourage American artists as well as American manufacturers and producers, it is the fact that there are in this country certain capable, meritorious, and even distinguished artists, not yet citizens, some of whom have come from the country in which the gentleman from New York is, I think, much interested.

Mr. LAGUARDIA. The gentleman from New York is only interested in one country, and that is the United States.

Mr. LUCE. I am delighted to hear that. I will modify my statement and say any other gentleman in the House under like circumstances would be interested under these conditions I think we may recognize the fact that to restrict the selection of artists to those who have taken out naturalization papers or who were born in this country might result at times in our securing an inferior grade of artistic skill. I do not feel that your Committee on the Library should thus be hampered in getting the most beautiful works of art that they can secure. Therefore if the gentleman should insist upon his position and refuse consent to consideration of this bill, I would have to look for some later opportunity to find out what the House may think in the matter.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. LAGUARDIA. The gentleman does not mean to imply that if we limit certain works of art which we authorize to American artists we will obtain inferior work?

Mr. LUCE. I meant to bring out that there have been models presented to us by men born abroad who have come over here to contribute to our store of art, and who should have an opportunity to offer us their artistic skill.

Mr. SCHAFER. Will the gentleman yield?

Mr. LUCE. I will.

Mr. SCHAFER. If we follow the gentleman's line of argument, we should not have a protective tariff, but leave to the foreigners an opportunity to enter into competition with American industry and labor.

Mr. LUCE. I tried to bring out that I thought the world of art was living under different conditions from the world of industry and production. May I suggest that recently when the Dominion of Australia sought to secure the finest plan it could get for a new capital, it was not hampered by such a condition as that here proposed, and so was able to give the award to a citizen of this country. Hitherto art has known no geographical lines, and I hope we will not establish a precedent that will ever hamper art by geographical lines.

Mr. LAGUARDIA. Art has heretofore had no geographical confines, it is true, and this very condition that has been described arose by giving the award to foreign artists on account of social connections, and so forth, and then they left for home, performed their work, and sent it over. American art is entitled to just as much protection as the manufacturers of the State of Massachusetts.

Mr. LUCE. But I submit to the gentleman one consideration: If the gentleman's logic is to prevail, the delightful concerts that are given here by symphony orchestras and the charming chamber music in the Coolidge auditorium of the Library of Congress ought to be stopped unless hereafter musicians and conductors are either native born or naturalized Americans. We ought not to be allowed to invite over here men and women who have shown their eminence in the great concert halls of Europe. Our programs ought to omit the names of Wagner and Haydn and Handel and Bach and Beethoven in order that we may encourage American composers.



Mr. LA GUARDIA. The fact is that American sculptors and painters have not jazzed their work as American musicians have done.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. LUCE. Yes.

Mr. CRAMTON. I would like to have the attention of the gentleman from New York [Mr. LA GUARDIA].

Paralleling with this, I recall that a few months ago, when Congress wished to pass an act to give recognition to an American citizen—the aviator Ellsworth—the gentleman from New York only permitted that to pass on condition that we join with that recognition a similar recognition for a distinguished Italian—General Nobile.

Mr. LA GUARDIA. And Roald Amundsen, a Norwegian, who was in the same joint adventure.

Mr. LUCE. Mr. Speaker, I call for the regular order.

Mr. LA GUARDIA. I am willing to submit my amendment to the House and allow the House to decide on it. I shall offer my amendment. I shall not object.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Navy is hereby authorized to procure and present to the Chilean National Observatory, in the name of the United States Naval Observatory, a bronze bust of the late Lieut. James Melville Gilliss, United States Navy, such bust to be made at a price and in accordance with design determined by him.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,200 for the purposes of this act.

With committee amendments as follows:

Page 1, line 3, strike out the words "Secretary of the Navy" and insert in lieu thereof the words "Joint Committee on the Library, acting on the advice of the Commission of Fine Arts."

Page 1, line 5, after the word "procure," strike out the words "and present" and insert in lieu thereof the words "for presentation."

Page 1, line 6, after the word "Observatory," insert the words "through the Secretary of the Navy."

Page 1, line 9, after the word "Navy," strike out the balance of the section.

Page 2, line 5, after the word "of," insert the words "not more than."

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

Mr. LA GUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LA GUARDIA: Page 2, line 6, strike out the period and insert a colon and add the following: "Provided, That said bust shall be the work of an artist who is a citizen of the United States."

Mr. LUCE. Mr. Speaker, I rise in opposition to the amendment. It is not necessary for me to repeat what I have already said, but I would like to emphasize the fact that your Committee on the Library is trying to use every opportunity that presents itself to improve the quality of the artistic decorations of the Capitol, the artistic ornamentations of the District of Columbia, and such other works of art as come within our control. The names of a large percentage of the artists who are brought to our attention indicate foreign birth or descent. Not a few of them are young men who have been trained in the artistic centers of Europe and have come here with the ambition to make their way by contributing to the artistic beauties of the United States. It seems to me that it would be unwise to deprive them of the opportunity of sharing in the competitions that are held from time to time in order that we may secure the best artistic talent available.

For this reason, sir, I hope the amendment will not prevail.

Mr. LA GUARDIA. Mr. Speaker, I wish to speak in favor of my amendment. I want to point out to the House that the anxiety that the gentleman from Massachusetts has to the embellishment of the National Capitol has absolutely nothing to do with this case, because this bust is to be presented to the Chilean National Observatory. I submit that if we are to present a work of art to a foreign government it should be the work of an American artist. [Applause.]

The trouble is now, Mr. Speaker, that there are a few perambulating foreign artists with certain social connections here who do not maintain studios in this country, but who are in a position through social connections to obtain commissions for some of the largest commissions for artistic works. American art has arrived at that stage where it can compete favorably with the art of any country of the world. I have confidence in the Fine Arts Commission, who are to be intrusted with the

work, that when they select the work of an American artist they will select one of the highest standard.

Mr. CRAMTON. I notice that the Committee on the Library is to procure this bust. Has the gentleman any fear that social allurements will tempt the gentleman from Massachusetts?

Mr. LA GUARDIA. The question answers itself.

Mr. CRAMTON. Certainly it is not going to be a matter of social pull, but a matter of merit.

Mr. LA GUARDIA. There is sufficient merit among the American artists to present the right kind of work, and they are entitled to the preference. I want to say that every country in Europe giving commissions to artists give them to their own artists.

The other day I received a letter from one of the art societies in this country pointing out that on the other side of the Capitol there is now a bill pending providing for a painting of the President, which is a \$5,000 commission, and unless we safeguard that in all likelihood it will go to a foreign artist who does not live in this country and who does not maintain a studio in this country. I submit, Mr. Speaker, that this is a proper amendment and one that will offer moral encouragement to American art.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. LA GUARDIA) there were—ayes 11, noes 42.

So the amendment was rejected.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### SALE OF GOVERNMENT-OWNED LAND AT MANCHESTER, N. H.

Mr. HALE. Mr. Speaker, I ask unanimous consent to return to Calendar No. 1099, Senate bill 4739, authorizing the Secretary of the Treasury to sell certain Government-owned land at Manchester, N. H. This bill was passed over temporarily and I think I have prepared an amendment which will meet the objection.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent to return to Calendar No. 1099. Is there objection?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, the gentleman intends to offer an amendment, which he will support, striking out the provision of the bill for the sale of the land to a designated private party and providing for the sale of the land at public auction?

Mr. HALE. Precisely, to the highest bidder after public advertisement.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and empowered, in his discretion, to sell to the New Hampshire Fire Insurance Co., for an amount not less than \$20,000, the easterly 25 feet of the Government-owned site at Manchester, N. H., at such time and upon such terms as he may deem to be to the best interests of the United States, and to convey such property to the purchaser thereof by the usual quit-claim deed, the proceeds of such sale to be deposited in the Treasury as a miscellaneous receipt.

Mr. HALE. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from New Hampshire offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HALE: Page 1, line 5, strike out the words "New Hampshire Fire Insurance Co." and insert in lieu thereof the words "highest bidder, after public advertisement."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### ROUGH RIVER, KY.

The next business on the Consent Calendar was the bill (H. R. 14893) to authorize a preliminary survey of Rough River in Kentucky with a view to the control of its floods.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, is not this river included in the legislation which was passed at the last session providing for a comprehensive flood-relief program?

Mr. MOORMAN. I think not, sir.

Mr. LaGUARDIA. How did it happen to be omitted?

Mr. MOORMAN. The omnibus bill had gone to the Senate, and then this project was recognized as being an emergency, and the committee passed it for that reason.

Mr. LaGUARDIA. The bill simply provides for a survey?

Mr. MOORMAN. That is all.

Mr. LaGUARDIA. Which is an opening wedge?

Mr. MOORMAN. That is all.

Mr. HUDSON. Mr. Speaker, reserving the right to object, does the gentleman contend that we did not pass legislation allowing for a complete survey of all the tributaries of the Mississippi and other navigable streams?

Mr. MOORMAN. I make no such contention about the matter. I state, though, that this is considered necessary, and for that reason the committee reported the bill.

Mr. HUDSON. I think the gentleman will find we have passed legislation taking care of all these matters, so far as surveys are concerned.

Mr. VINSON of Kentucky. If that be true, then the passage of this bill would do no harm.

Mr. DYER. Why not let the bill go over in order to make an inquiry and ascertain whether this river has been taken care of.

Mr. MOORMAN. I will say to the gentleman that a similar bill was introduced in the Senate by Senator BARKLEY, which was attached to the omnibus bill that went over from the House.

Mr. HOOPER. If the gentleman will permit, does the gentleman and also the gentleman from Kentucky [Mr. VINSON] take the position that if this bill passes and the survey has been taken care of in the preliminary legislation, that this then would be mere surplusage and would commit the Government to no additional expense as far as the earlier bill is concerned?

Mr. VINSON of Kentucky. I should not think so.

Mr. HUDSON. I wish the gentleman would allow this bill and the bill following it to go over for the day. I do not want to object, but I wish the gentleman would allow it to go over for the day.

Mr. WHITTINGTON. Let me say this to the gentleman: This river is a tributary to the Ohio, and in the bill to which reference has been made this river was not named.

Mr. SABATH. Did not the bill provide for the Ohio, the Mississippi, and all tributaries thereof?

Mr. WHITTINGTON. Only those tributaries of the Ohio that were named and this river was not among those named.

Mr. SABATH. I do not see why we should bring in separate bills for all these small rivers if the same thing is included in the general bill.

Mr. WHITTINGTON. There were separate bills and those bills were included in the omnibus bill, but this river was not named in that bill.

Mr. MOORMAN. I trust the gentleman will withdraw the objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and is hereby, authorized and directed to cause an examination and survey to be made of Rough River, beginning at Falls of Rough, Grayson County, Ky., and extending to the mouth of said river, with a view to securing a channel of such dimensions and courses as will prevent present retarding of the flow of its waters and consequent flooding of thousands of acres of valuable adjacent land, and such other action and relief as is necessary. Also to submit a report to Congress of the feasibility of controlling said flood waters, together with an estimate of the cost of such improvement.

Mr. BLACK of Texas. Mr. Speaker, I offer an amendment, on page 1, line 10, after the word "lands," to strike out the language "and such other action and relief as is necessary."

Let me call the attention of the gentleman from Kentucky [Mr. MOORMAN] to the fact that this bill, as I understand it, is for a preliminary survey and report to Congress.

Mr. MOORMAN. It is; yes.

Mr. BLACK of Texas. For that purpose the language which my amendment seeks to strike out is unnecessary and is rather too broad. It might give the Secretary of War the power to go ahead and do the work of flood control, and I do not think we ought to set that precedent in these bills for preliminary surveys.

Mr. MOORMAN. I will say to my colleague I intended to make it broad; and if I made it too broad, I will be pleased to accept the amendment.

Mr. BLACK of Texas. I think that ought to go out.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLACK of Texas: Page 1, line 10, after the word "lands," strike out the comma, insert a period, and strike out the words "and such other action and relief as is necessary."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MUD CREEK, KY.

The next business on the Consent Calendar was the bill (H. R. 15809) to authorize a preliminary survey of Mud Creek in Kentucky, with a view to the control of its floods.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, is this a navigable stream?

Mr. MOORE of Kentucky. It is not a navigable stream.

Mr. LaGUARDIA. It is just for flood relief?

Mr. MOORE of Kentucky. It is for flood relief; yes.

Mr. DYER. It is to make it navigable. They want to get the mud out of it.

Mr. LaGUARDIA. And they are doing that under the guise of flood relief?

Mr. HOWARD of Oklahoma. I will say to the gentleman that this is a bill similar to the one we just passed.

Mr. LaGUARDIA. I think the one we just passed is bad.

Mr. HOWARD of Oklahoma. I do not admit that.

Mr. LaGUARDIA. This is the last individual survey bill and flood relief that is going to pass by unanimous consent.

Mr. HUDSON. Will the gentleman yield?

Mr. MOORE of Kentucky. Yes.

Mr. HUDSON. I want to put myself on record as not individually opposing these bills on that proposition. If we bring in here a similar bill for every stream in the United States, the Corps of Engineers is going to be swamped. I think this is all taken care of in the general bill, and these individual bills ought not to be introduced or passed.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary survey to be made of Mud Creek in Kentucky from Mining City, at which point said creek empties into Green River, up to a point 25 or 30 miles in distance where a drainage project has been started by owners of the land on and near said creek, with a view to the control of its floods. Also to submit a report to Congress as to the feasibility of controlling the said flood waters by a drainage project, together with an estimate of the cost of said improvement.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ASSISTANT TO ENGINEER COMMISSIONER OF THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 1624) to authorize the payment of additional compensation to the assistants to the engineer commissioner of the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHAFER. I object, Mr. Speaker.

SOBOPA INDIAN RESERVATION, CALIF.

The SPEAKER. The Chair is informed that the next bill (H. R. 15092) to authorize an appropriation to pay half the cost of a bridge near the Sobopa Indian Reservation, Calif., has already been considered on Calendar Wednesday, and, without objection, the bill will be passed over without prejudice.

There was no objection.

PUBLIC ALLEY IN SQUARE 1083, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 3771) vacating the alley between lots 16 and 17, square 1083, District of Columbia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCHAFER. Mr. Speaker, as there is no one present to explain the necessity for vacating this alley, I object.



## GRAIN ELEVATORS' RELIEF

The next business on the Consent Calendar was the joint resolution (H. J. Res. 194) authorizing the President to ascertain, adjust, and pay certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920, as per a certain contract authorized by the President.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. HOOPER. Mr. Speaker, I understand this bill has been passed by the House and Senate and was signed to-day by the President. Accordingly, it should be stricken from the calendar, I suggest.

Mr. SINCLAIR. A similar Senate bill was passed.

Mr. HOOPER. And has been signed by the President?

Mr. SINCLAIR. It has been signed; yes.

The SPEAKER. The Chair thinks the better procedure would be to lay the bill on the table.

Mr. HOOPER. I move then, Mr. Speaker, that this bill be laid on the table.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

## PETERSBURG NATIONAL MILITARY PARK

The next business on the Consent Calendar was the bill (H. R. 13693) to authorize the Secretary of War to transfer a portion of the Camp Lee Military Reservation to the Petersburg National Military Park.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized to transfer to the Petersburg National Military Park such portion of the Camp Lee Military Reservation, Va., as in his discretion may be required in connection with the establishment of the Petersburg National Military Park, as authorized by the Act of Congress approved July 3, 1926.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

## RADIO AND COMMUNICATION CENTER AT BOLLING FIELD, D. C.

The next business on the Consent Calendar was the bill (H. R. 13931) to authorize an appropriation for the construction of a building for a radio and communication center at Bolling Field, D. C.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LA GUARDIA. Reserving the right to object, may I inquire why it is not possible for the Government to concentrate all its radio activities in one station? I understand the Navy has a high-powered station at Arlington. Are we not doing exactly what we object to others doing, jamming the atmosphere with wave lengths?

Mr. WAINWRIGHT. I would say in answer to my distinguished colleague from New York that that is exactly the purpose of this bill. At the present time the radio transmission is performed in four scattered sections of the District. The purpose of this bill is to concentrate the radio transmission and communication centers at one point in the capital area. It will be done at a very small expense. The authorized appropriation is only \$30,000. If the gentleman will examine the report on the bill, he will see that it will effect a very great economy.

Mr. LA GUARDIA. Will it restrict the area?

Mr. CRAMTON. Will the gentleman yield? I understand the Senate Committee on Military Affairs has recently taken action with a view to abandoning certain aviation fields. Does the gentleman know whether Bolling Field is one of those fields that it is proposed to abandon?

Mr. WAINWRIGHT. I have not heard of any abandonment of Bolling Field. There are certain minor objections that exist in Bolling Field, but I doubt if there has been any serious proposal to abandon it.

Mr. CRAMTON. The action I refer to might include Bolling Field without the gentleman's knowledge. It was action taken without anyone knowing anything about it. I have seen a discussion in the newspapers of a proposition to abandon Bolling Field.

Mr. WAINWRIGHT. If the gentleman will notice, there is an amendment to the bill providing that this communication center may be in Bolling Field or any other point in the District of Columbia.

Mr. LA GUARDIA. How about the station at Arlington?

Mr. WAINWRIGHT. That is a naval station.

Mr. LA GUARDIA. Could they not concentrate all the radio activities there?

Mr. WAINWRIGHT. I am not sure that I am familiar enough with the details of the subject to answer that specific question. Of course, the Army radio activities and that of the Navy are entirely separate. As I understand, this is a transmission of radio information as to the atmosphere in various parts of the country for the purpose of aviation.

Mr. CRAMTON. What does the gentleman think, if the Military Committees are about to reopen the proposition that was up two or three years ago to decide which fields are to be abandoned in the future; if that is the case, would it not be well to have all the appropriation bills affecting aviation fields held in abeyance until the legislative program is determined upon?

Mr. WAINWRIGHT. I would say to my distinguished friend from Michigan that that time is so far off that it would not be worth while to hold this necessary measure in abeyance on that accord. The bill is not a very important bill as far as the amount involved is concerned but very important in its purpose, and I hope the gentlemen who express interest in it, in view of the fact that the object is important, will resolve any doubt they may have in favor of its passage and refrain from any objection.

Mr. CRAMTON. Mr. Speaker, may I say this—I am not going to object. I understood that Congress passed a bill two or three years ago designating what fields would be retained. I had not supposed the question was now before Congress as to the discontinuance of any of these fields. I learned incidentally that it is up before the Senate, but as the gentleman has indicated I assume that Congress is not going to reverse itself within two years.

Mr. LA GUARDIA. Mr. Speaker, it is not the amount of land to be used but it is a question of the use of the air. At the present time we are seeking to limit the number of privately owned stations, and it seems to me that the Government ought to set a good example and concentrate all the radio activities at one station. We have a powerful station at Arlington. I think we ought to have more information upon this bill and I ask unanimous consent that it go over without prejudice.

The SPEAKER pro tempore (Mr. SNELL in the chair). The gentleman from New York asks unanimous consent that the bill go over without prejudice. Is there objection?

There was no objection.

## ABRAHAM LINCOLN NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 15657) to provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or reservation.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, which I expect to do, no one in this House but is thoroughly in sympathy with any proposal to honor the memory of Abraham Lincoln, so that that is not involved in my attitude on this bill. The bill is entirely unnecessary. There is just as much law authorizing appropriations for the maintenance and improvement of the Abraham Lincoln National Park as there will be if we pass this bill. I have read the report. I have sympathy with the idea that probably more funds are needed for that purpose, but I have confidence that if that matter is presented in a proper way, if something more than mere resolutions of the Chamber of Commerce of Hodgenville are available, that the appropriation estimates will come in in a regular way and the money necessary will be appropriated, whatever it may be. I have here extracts from the act which is now law that makes it perfectly clear that appropriations are authorized. If appropriations without limit are now authorized by existing law, why pass a new law to authorize appropriations?

Mr. THATCHER. Mr. Speaker, the Secretary of War submitted an estimate of something over \$80,000 for these appropriations. The Director of the Budget said that he was not sure about the authorization involved in the basic act of 1916, and he thought there would have to be or ought to be further legislation. If this could have come through the regular channels, there would have been no occasion for this bill, but the Bureau of the Budget has not taken that position. This is the only way in which this property can be properly cared for.

Mr. CRAMTON. Mr. Speaker, I can not imagine that the Bureau of the Budget will take that position finally. If they do, it means that we will have to duplicate all of our laws authorizing appropriations. In section 211, reading part of it, we find the following:

The United States accepts title to the lands mentioned in the deed of gift or conveyance now in the possession of the Secretary of War, together with all of the buildings and appurtenances thereon, especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same; \* \* \* that the land therein described in such deed or conveyance \* \* \* shall be forever dedicated to the purposes of a national park or reservation, the United States of America agreeing to protect and preserve the said lands, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation and destruction and further disintegration, to the end that they may be preserved for all time. \* \* \*

That clearly, just as the gentleman from Kentucky [Mr. MOORMAN] has asserted in his speech, establishes law and authority for the appropriations. Section 212 provides among other things:

\* \* \* and further shall forever protect, preserve, and maintain said land, buildings, and appurtenances, and especially the log cabin, \* \* \* to the end that they may be preserved for all time as far as may be as a national park or reservation.

We give there the duty to the War Department to maintain and protect this memorial, and that carries with it, as the Chair here has repeatedly ruled, authority for appropriations.

Mr. THATCHER. But what is to be done when the Bureau of the Budget is unwilling to pass these estimates submitted by the War Department on to the Committee on Appropriations?

Mr. CRAMTON. I can not believe that after they read the law the Bureau of the Budget will refuse the estimate on that ground.

Mr. THATCHER. But I discussed this matter with General Lord himself, and that was his view of the question. That is the only purpose of this bill.

Mr. CRAMTON. The law is just as clear as can be. The responsibility is here to preserve and protect, and that carries with it authority to appropriate money for that purpose.

Mr. THATCHER. This bill has the sanction of the War Department and is shown to be not inconsistent with the financial program of the President. It can do no harm to pass the bill. It will clear up the matter and will enable the proper appropriations to be submitted.

Mr. CRAMTON. Has the gentleman a letter from the Budget Bureau that they hold that the law does not give authority?

Mr. THATCHER. There is a letter saying that it is not inconsistent with the financial program of the President.

Mr. MOORMAN. Here is a letter from the War Department, Washington, January 1—

Mr. CRAMTON. I have read the letter in the report, and not only that, but I have read the speech of the gentleman from Kentucky and I agree with him that legislation is unnecessary. I shall either object to it or ask to have it go over.

Mr. THATCHER. The gentleman can object if he wishes.

Mr. DYER. Mr. Speaker, I demand the regular order.

Mr. CRAMTON. Mr. Speaker, I object.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 4438. An act authorizing the State of Indiana to construct, maintain, and operate a toll bridge across the Ohio River at or near Evansville, Ind.; to the Committee on Interstate and Foreign Commerce.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on February 2, 1929, present to the President, for his approval, bills of the House of the following titles:

H. R. 6864. An act to authorize the Postmaster General to require steamship companies to carry the mail when tendered;

H. R. 13414. An act to amend section 1396 of the Revised Statutes of the United States relative to the appointment of chaplains in the Navy;

H. R. 13507. An act to amend section 3 of Public Act No. 230 (37 Stat. L. p. 194);

H. R. 14920. An act granting the consent of Congress to the State of Wisconsin to construct, maintain, and operate a free highway bridge across the Rock River, at or near Center Avenue, Janesville, Rock County, Wis.;

H. R. 15324. An act authorizing the attendance of the Marine Band at the Confederate Veterans' reunion to be held at Charlotte, N. C.; and

H. J. Res. 340. Joint resolution to authorize the Secretary of the Treasury to cooperate with the other relief creditor governments in making it possible for Austria to float a loan in

order to obtain funds for the furtherance of its reconstruction program, and to conclude an agreement for the settlement of the indebtedness of Austria to the United States.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On January 18, 1929:

H. R. 4280. An act to correct military record of John W. Cleavenger, deceased.

On January 19, 1929:

H. R. 11719. An act to revise the boundaries of the Lassen Volcanic National Park, in the State of California, and for other purposes;

H. R. 15067. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana highway No. 21 meets Texas highway No. 45;

H. R. 15088. An act to provide for the extension of the boundary limits of the Lafayette National Park in the State of Maine and for change of name of said park to the Acadia National Park;

H. R. 5528. An act to enable electricians, radio electricians, chief electricians, and chief radio electricians to be appointed to the grade of ensign;

H. R. 7729. An act to divest goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners of their interstate character in certain cases;

H. R. 8327. An act for the relief of certain members of the Navy and Marine Corps who were discharged because of misrepresentation of age;

H. R. 13249. An act to authorize an increase in the limit of cost of alterations and repairs to certain naval vessels;

H. R. 13645. An act to establish two United States narcotic farms for the confinement and treatment of persons addicted to the use of habit-forming narcotic drugs who have been convicted of offenses against the United States, and for other purposes;

H. R. 14660. An act to authorize alterations and repairs to the U. S. S. *California*;

H. R. 14922. An act to authorize an increase in the limit of cost of two fleet submarines;

H. R. 5617. An act to limit the date of filing claims for re-tainer pay;

H. R. 5944. An act for the relief of Walter D. Lovell;

H. R. 7209. An act to provide for the care and treatment of naval patients, on the active or retired list, in other Government hospitals when naval hospital facilities are not available;

H. R. 8859. An act for the relief of Edna E. Snably;

H. R. 13498. An act for the relief of Clarence P. Smith; and

H. R. 13744. An act to provide for the acquisition by Parker I-See-O Post, No. 12, All-American Indian Legion, Lawton, Okla., of the east half northeast quarter northeast quarter northwest quarter of section 20, township 2 north, range 11 west, Indian meridian, in Comanche County, Okla.;

On January 21, 1929:

H. R. 10157. An act making an additional grant of lands for the support and maintenance of the Agricultural College and School of Mines of the Territory of Alaska, and for other purposes;

H. R. 10550. An act to provide for the acquisition by Meyer Shield Post No. 92, American Legion, Alva, Okla., of lot 19, block 41, the original town site of Alva, Okla.; and

H. R. 12775. An act providing for a grant of land to the county of San Juan, in the State of Washington for recreational and public-park purposes.

On January 22, 1929:

H. R. 10908. An act for the relief of L. Pickert Fish Co. (Inc.).

On January 24, 1929:

H. R. 4920. An act authorizing the Secretary of the Navy to award a Nicaraguan campaign badge to Capt. James P. Williams, in recognition of his services to the United States in the Nicaragua campaign of 1912 and 1913.

On January 25, 1929:

H. R. 1320. An act for the relief of James W. Pringle; and

H. R. 15569. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1930, and for other purposes.

On January 28, 1929:

H. R. 8988. An act for the relief of Milton Longsdorf;



H. R. 12879. An act to repeal section 1445 of the Revised Statutes of the United States; and

H. R. 15472. An act to authorize the Secretary of War to lend War Department equipment for use at the eleventh national convention of the American Legion.

On January 29, 1929:

H. R. 5953. An act for the relief of E. L. F. Auffurth;

H. R. 6704. An act for the relief of Harry Pincus;

H. R. 9049. An act to amend section 227 of the Judicial Code;

H. R. 9509. An act for the relief of Ray Ernest Smith;

H. R. 10125. An act for the relief of Leo Scheuren;

H. R. 10126. An act for the relief of Loretta Pepper;

H. R. 10472. An act to authorize the appointment of Master Sergeant August J. Mack as a warrant officer, United States Army;

H. R. 10974. An act for the relief of Carl Holm; and

H. R. 13144. An act to cede certain lands in the State of Idaho, including John Smiths Lake, to the State of Idaho for fish-cultural purposes, and for other purposes.

On January 30, 1929:

H. R. 6350. An act for the relief of Bertram Lehman.

On January 31, 1929:

H. R. 7411. An act for the relief of Gilbert Faustina and John Alexander; and

H. R. 14150. An act to amend section 279 of the Judicial Code.

On February 2, 1929:

H. R. 940. An act for the relief of Michael J. Fraher;

H. R. 2098. An act for the relief of Alonzo Northrup;

H. R. 3268. An act for the relief of John G. DeCamp;

H. R. 11859. An act for the relief of B. C. Miller;

H. R. 12236. An act to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926, and to provide a means for further investigation and payment in certain cases;

H. R. 12995. An act for the relief of Etta B. Leach Johnson;

H. R. 14452. An act to authorize the Secretary of the Treasury to donate to the city of Oakland, Calif., the United States Coast Guard cutter *Bear*;

H. R. 14925. An act to authorize repayment of certain excess amounts paid by purchasers of lots in the town sites of Bowdoin, Mont., and for other purposes; and

H. J. Res. 350. Joint resolution to provide for the reappointment of Frederic A. Delano and Irwin B. Laughlin as members of the Board of Regents of the Smithsonian Institution.

On February 4, 1929:

H. R. 4589. An act for the relief of Dan A. Morrison; and

H. R. 9570. An act to provide for the transfer of the returns office from the Interior Department to the General Accounting Office, and for other purposes.

#### THE CONSENT CALENDAR

#### EMPLOYMENT OF ENGINEERS FOR CONSULTATION PURPOSES ON RECLAMATION WORK

The next business on the Consent Calendar was the bill (S. 4528) authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McFADDEN. Mr. Speaker, reserving the right to object, last week I took occasion, on the floor of the House, to call attention to the continuation of reclamation work in connection with the situation that confronts this country in regard to marketing its surplus crops. This is one of the bills that affects that situation, because there is more in this proposal than shows on the surface. In a letter from Dr. Elwood Mead, the Commissioner of Reclamation, we find the statement that these experts are necessary for the purpose of considering the location of dams and dam sites in the Columbia River Basin, a new proposition not yet fully authorized.

The proposal is one of several proposals now pending, and I understand from information I have that the House may consider the matter this afternoon under suspension of the rules. I simply want to call the attention of the House to the fact that I am going to object to this bill and all of these proposals from now on.

Mr. CRAMTON. Before the gentleman commits himself too definitely let me explain this situation to the gentleman. Whether a Member is opposed to new reclamation projects or favors them should have nothing to do in regard to his attitude toward this bill. The passage of this bill does not approve any new projects or extend any old ones. It is only intended to do this, that where investigations are authorized or where projects are approved that the engineering and geological work, if I

may use that term, shall be conducted as wisely and as efficiently as possible. If the appropriations are made for these investigations the appropriations will be used whether this bill passes or not, and these investigations will be made whether this bill passes or not. If this bill does pass it enables the Secretary of the Interior, where he thinks it is necessary, to use outside help in connection with these investigations, instead of confining it entirely to the Reclamation Service. A gentleman whether he is for an extension of projects or not, ought not to permit it to influence his attitude toward this bill. He ought to desire this, as a Member of this House he ought to desire that these investigations be made as efficiently as possible, and that is all this does.

Mr. McFADDEN. I will say I am referring now to the report. Here is the letter from Elwood Mead, commissioner, in answer to what the gentleman said here—

Mr. CRAMTON. I have read the quotation. There will be no investigation until that investigation is authorized by Congress. Some investigations are now authorized and under way, and if the investigation is authorized then under this experts could be called in, but this resolution of itself does not authorize any investigation.

Mr. LEATHERWOOD. Will the gentleman yield? I desire to secure some information.

Mr. CRAMTON. If I may be permitted,

Mr. LEATHERWOOD. Is it the understanding of the gentleman from Michigan and the gentleman from Idaho, chairman of the committee [Mr. SMITH], that any charge incurred under the authorization of this bill under general law would be chargeable against the project?

Mr. CRAMTON. Well, I assume, as far as I am concerned, that no expenditure under this would be charged against the project, as the language—

Mr. LEATHERWOOD. Is it the understanding of the gentleman from Idaho that this applies only to authorized projects, reclamation projects?

Mr. SMITH. That is my understanding; only projects already under way.

Mr. LEATHERWOOD. Is it the understanding of the gentleman from Idaho that the Director of Reclamation, if this bill should be enacted into law, would have the power to incur additional obligations in a case, for instance, like the authorization carried in the Swing-Johnson bill, where \$165,000,000 had been appropriated for that project?

Mr. CRAMTON. Not yet appropriated, but authorized. May I supplement what I said before as to how this would be charged?

This bill does not carry an appropriation, and the Secretary of the Interior can not make use of this authority unless under some appropriation made by Congress.

Mr. LEATHERWOOD. I thank the gentleman. That is the case precisely.

Mr. CRAMTON. The existing appropriation for examination is out of the reclamation fund. Other examinations may be made out of the reclamation fund or not.

Mr. LEATHERWOOD. Let me put the question this way, in order to arrive at a proper understanding: Under the authorization carried in this bill, if an appropriation should follow for the purposes therein designated, would it be possible to employ an economist on such a project as I have indicated, on the so-called Boulder Dam proposition, for which there is an authorization of \$165,000,000 to be appropriated?

Mr. CRAMTON. My recollection is that that will depend entirely on the language under which the appropriation is made. My recollection is that the language surrounding that appropriation for investigation each year is such that it would be available for that purpose if the amount of money is available.

Mr. LEATHERWOOD. I have communicated with the Director of Reclamation, and his answer has been satisfactory. He states now that he could not under any authorization of appropriation that is made in this bill expend any money in the case to which I have directed the gentleman's attention, for the reason that no reclamation project has yet been authorized. If that policy is to be followed, I would have no objection to this legislation.

Mr. CRAMTON. I would not want to dispute with anyone without the language before me, but it is my recollection that that \$100,000 a year is used each year for the study of projects not authorized by Congress.

Mr. LEATHERWOOD. I think the gentleman is right.

Mr. CRAMTON. And, as a matter of fact, they would not care to use from that small fund, because the Boulder Dam is a big project, and they would want to use the money for that particular purpose.

Mr. McFADDEN. I would like to say further, in answer to the gentleman from Michigan [Mr. CRAMTON] that he has

not answered the situation at all. I want to quote here from the letter of Elwood Mead, the commissioner, under date of December 21, 1928, in which he says, writing to Representative SMITH:

The Bureau of Reclamation is now building, or preparing plans for building, dams at Owyhee in Oregon, Easton on the Yakima River in Washington, Deadwood Dam in Idaho, Avalon Dam in New Mexico, is required by law to investigate the feasibility of a dam on the upper Gila River, will soon be called upon to prepare plans for Boulder Dam, and consider the location of dams and dam sites on the Columbia Basin.

Mr. CRAMTON. I will say to the gentleman that the proposed Owyhee Dam—

Mr. McFADDEN. I am not referring to the Owyhee Dam. I am referring to the Columbia River Basin.

Mr. CRAMTON. The Owyhee Dam in Oregon, the Deadwood Dam in Idaho, and the Avalon Dam in New Mexico are all now authorized by law. The Boulder Dam is now authorized by law. The Columbia River Basin is not now authorized by law.

Mr. McFADDEN. That is the reason why I am saying what I said in regard to this legislation. I want to see to it that it is not authorized.

Mr. CRAMTON. None of the money mentioned in this bill will be used to investigate any of these unless there is an appropriation or an instruction of some kind.

Mr. LEATHERWOOD. The gentleman does not claim that the Boulder Dam legislation authorizes any reclamation?

Mr. COLE of Iowa. Mr. Speaker, I call for the regular order, because the gentleman from Pennsylvania [Mr. McFADDEN] says he is going to object anyhow.

The SPEAKER pro tempore. The regular order is demanded. Mr. SMITH. Mr. Speaker, I am chairman of the committee that reported this bill, and I have had no opportunity to explain it, and request the gentleman to withhold his objection.

Mr. McFADDEN. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

#### BOARD OF VISITORS, UNITED STATES MILITARY ACADEMY

The next business on the Consent Calendar was the bill (H. R. 16273) to amend an act entitled "An act to provide for the membership of the Board of Visitors, United States Military Academy, and for other purposes," approved May 17, 1928.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Reserving the right to object, Mr. Speaker, some time ago we provided for a Board of Visitors at West Point. We amended it after my objection to its original form by providing that when the board visits West Point to inspect that institution we notify the superintendent of the time of their coming, so that lo and behold! when the visitors come, the band is there to greet them, and the officers and the guard come out to meet them. Now, this board wants to take with it a retinue of secretaries and clerks. This bill provides for the expense of the clerks to accompany the visitors. I can not see any worthy purpose to be subserved by enlarging the purpose of the bill, and I submit now that I shall reserve the right to object.

Mr. MORIN. Mr. Speaker, the purpose of this amendment is to permit the Board of Visitors at West Point to take with them the necessary clerical help. Under the provisions of the Board of Visitors bill, which was passed at the last session of Congress, the Subcommittee on Military Affairs of the Committee on Appropriations recommended an appropriation for the Board of Visitors to go to West Point at least once a year to make an inspection, go over the estimates, and have hearings on the projects recommended by the authorities at the United States Military Academy. This year, when the Board of Visitors of the Military Affairs Committee visited West Point the Subcommittee on Appropriations could not go because they were not able to take with them their clerk, which was necessary to conduct the hearings.

Mr. LAGUARDIA. What is to prevent the Committee on Appropriations, when it wants data and figures, from having the witnesses come before it?

Mr. MORIN. But they are authorized to go there and visit the academy, and this will be a more economical procedure.

Mr. SCHAFER. Will the gentleman yield?

Mr. MORIN. Yes.

Mr. SCHAFER. If this bill is enacted, these clerks will be made members of the visiting committee. In the bill you state that hereafter the Board of Visitors shall consist of certain Members of Congress and necessary clerical help, so that by this

language you are making the clerks members of the Board of Visitors.

Mr. MORIN. That is not the intention of the bill.

Mr. LAGUARDIA. Will the gentleman consent to the striking out of the provision on page 2, line 13:

And the superintendent of the academy and the members of the Board of Visitors shall be notified of such date by the chairmen of the said committees.

Mr. MORIN. I will not, because that is necessary. How are you going to have the officers on the ground, who are in charge of the project and who are asking for the appropriations, unless you notify them? They might be away on other official business when the Board of Visitors arrives at the academy.

Mr. SCHAFER. Mr. Speaker, I object to the consideration of the bill.

#### REMOVAL OF SURPLUS SAND FROM THE MILITARY RESERVATION, FORT STORY, VA.

The next business on the Consent Calendar was the bill (H. R. 14072) to authorize the sale and removal of surplus sand from the military reservation, Fort Story, Va.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of war is hereby authorized to permit, under proper regulations, the sale and removal from the United States Military Reservation, Fort Story, Va., of sand which is not required for the use of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### FORT DOUGLAS MILITARY RESERVATION, UTAH

The next business on the Consent Calendar was the bill (H. R. 14924) to authorize the Secretary of War to grant to the city of Salt Lake, Utah, a portion of the Fort Douglas Military Reservation, Utah, for street purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, there is no objection to granting this land for the purpose of giving the city a street and maintaining it and using it as a street, but I can not understand why the law itself and the use of the street must be conditioned upon a certain street railway maintaining tracks on that street.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. LEATHERWOOD. I think I understand the conditions. The particular territory that is affected by the terms of this bill is a small tract of ground at what might be called the blind end of Fifth South Street, in the city of Salt Lake, Utah. The title to a small portion of the ground, as described in the bill, is in the Government and is a part of the Fort Douglas Military Reservation.

Recently the University of Utah, which originally acquired its campus from the Government, and which was originally a part of the reservation, erected a stadium on the southerly portion of its campus, which now makes it important to use this street and which also makes it important that street-car accommodations be maintained there. It is of no value to the city, except for the purpose of accommodating the crowds that want to go to the games, and at this time it would be of as much advantage to the Government as it would be to the University of Utah or to Salt Lake City. Salt Lake City has no objection to any condition which would provide for a reversion of the title to the Government if it is not used for street purposes.

Mr. LAGUARDIA. I will say to the gentleman that I have prepared such an amendment.

Mr. LEATHERWOOD. Because the city will have no use for it when it can not use it as a street.

Mr. LAGUARDIA. The gentleman does not get my point. The bill provides:

That said grant shall be subject to the maintenance of street-car tracks on said street by the Utah Light & Traction Co.

Now, suppose at some later date it is desired to have bus service there. The minute the tracks are not maintained there the street would not be an open street any longer.

Mr. LEATHERWOOD. The street car company maintains the bus service. We have a trolley bus service.



Mr. LAGUARDIA. Would the gentleman object to the striking out of the proviso? Salt Lake City can give them their franchise without making this a condition of the grant.

Mr. LEATHERWOOD. Which proviso?

Mr. LAGUARDIA. The very last proviso. The city can give them this franchise to run tracks there, but when you make it the condition that the Government grants this land for street purposes that is all-controlling.

Mr. LEATHERWOOD. I see no objection to it. If the gentleman sees any objection to that proviso, I have no objection to its going out, because the street car company already has the franchise.

Mr. LAGUARDIA. I have prepared this amendment:

*And provided further,* That when said land shall cease to be used and maintained as a street it shall revert back to the United States, and the instrument of conveyance shall recite such reversionary conditions.

Mr. LEATHERWOOD. I think that will be acceptable.

Mr. LAGUARDIA. And strike out the balance of the section?

Mr. LEATHERWOOD. I have no objection to that.

Mr. LAGUARDIA. With that understanding, I shall not object.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to grant and convey to the city of Salt Lake, a municipal corporation of the State of Utah, for street purposes, the land within the extension of Fifth South Street on the Fort Douglas Military Reservation, Utah, more particularly described as follows, to wit: Beginning at the intersection of the north line of Fifth South Street produced and the west line of Fort Douglas United States Military Reservation, said point being 391.48 feet east and 63.37 feet north of the city monument at the intersection of Thirteenth East and Fifth South Streets, thence east 1,320 feet, thence south 131.01 feet, thence west 1,320 feet, thence north 131.01 feet to place of beginning: *Provided,* That the city of Salt Lake shall construct and maintain a street thereon, without expense to the United States: *And provided further,* That said grant shall be subject to the maintenance of street-car tracks on said street by the Utah Light & Traction Co. until such time as they are abandoned or removed.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 2, line 11, after the colon insert the following: "*And provided further,* That when said land shall cease to be used and maintained as a street it shall revert back to the United States, and the instrument of conveyance shall recite such reversionary condition."

And strike out the balance of the section.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### UNITED STATES YORKTOWN SESQUICENTENNIAL COMMISSION

The next business on the Consent Calendar was the resolution (H. Con. Res. 46) amending section 6 of the House concurrent resolution establishing the United States Yorktown Sesquicentennial Commission.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the resolution, as follows:

*Resolved by the House of Representatives (the Senate concurring),* That section 6 of the House concurrent resolution establishing the United States Yorktown Sesquicentennial Commission be, and the same is hereby, amended to read as follows:

"Sec. 6. That the commission shall on or before the 15th day of December, 1929, make a report to the Congress in order that enabling legislation may be enacted."

The concurrent resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### VOCATIONAL EDUCATION

The next business on the Consent Calendar was the bill (H. R. 15211) to amend section 7 of the act entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and in industries; to pro-

vide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I want to get some information. In the proposed amendment, in line 7, reference is made to section 6 of this act, while the existing law refers to section 17 of this title. I wanted to know if that was intentional or whether it was an oversight. I think we had better let this go over, if no one can give us the information.

Mr. DYER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice. The gentleman from New York [Mr. REED] does not seem to be on the floor and I wanted to ask one or two questions about it.

The SPEAKER pro tempore. Without objection, the bill will be passed over without prejudice.

There was no objection.

#### FORD'S THEATER

The next business on the Consent Calendar was the bill (H. R. 7206) to establish a national war memorial museum and veterans' headquarters in the building known as Ford's Theater.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. DYER. Mr. Speaker, reserving the right to object—

The SPEAKER pro tempore. The Chair may say for the information of the House that this bill requires three objections.

Mr. DYER. Mr. Speaker, I ask unanimous consent that I may proceed for two minutes on this bill.

The SPEAKER pro tempore. Without objection, the gentleman is recognized for two minutes.

There was no objection.

Mr. DYER. Mr. Speaker, there is an insertion in this proposed legislation to the effect that one of the purposes is to provide a meeting place for the veterans of the Grand Army of the Republic on account of the fact that the building in which they have been holding their meetings is going to be torn down shortly.

I do not believe, Mr. Speaker, there is any Member in this House on either side of the aisle but what wants to do everything he possibly can to show his consideration for these old veterans. We have shown our desire to do this many times. We all want to help wherever we can these veterans who, we sincerely regret, are rapidly passing away; but, Mr. Speaker, the inquiry I made at the last consent day was whether it is good judgment to appropriate \$100,000 to make improvements on a building that, after the improvements are made, would still be unsafe. If I am wrong in this attitude I would be glad to have the gentleman from Illinois [Mr. YATES], for whom I have great respect and whose judgment I value highly, to state whether or not if such improvements are made the building is going to be safe, or whether these old veterans who are going to hold their meetings in this building are going to be in danger.

Mr. YATES. Will the gentleman yield?

Mr. DYER. Yes.

Mr. YATES. I have in my hand a letter from Charles A. Peters, structural engineer of the Bureau of Public Buildings and Public Parks under Col. U. S. Grant. This letter is dated February 2, 1929, and is on the subject of remodeling Ford's Theater.

Let me say that because of the inquiry of the gentleman from Missouri [Mr. DYER], which was a pertinent inquiry and perfectly proper, I asked for an opinion on this subject, and this engineer writes:

MY DEAR MR. YATES: In reply to your inquiry concerning the fireproof character of the Ford's Theater, I wish to state that under the provisions of the bill now pending before Congress, this office contemplates remodeling the building into a modern fireproof structure which will be equal in all respects to the fireproof structures of to-day.

Does that answer the gentleman?

Mr. UNDERHILL. Will the gentleman yield?

Mr. DYER. Before I yield, may I say that the statement of the gentleman from Illinois with respect to the inquiry which I addressed to him satisfies me upon that question, and that was the only objection I had in mind.

Mr. YATES. Yes; I so understood.

Mr. DYER. I will reserve my objection so that the gentleman from Massachusetts may make a statement, but I shall not insist upon the objection.

Mr. YATES. Mr. Speaker, a parliamentary inquiry. The SPEAKER pro tempore. The gentleman will state it. Mr. YATES. I do not understand whether there has been an objection or not.

Mr. UNDERHILL. I reserve the right to object.

Mr. DYER. I reserved the right to object for the gentleman to make a statement.

Mr. UNDERHILL. I reserve the right to object, Mr. Speaker.

Mr. DYER. Then I withdraw my objection.

Mr. YATES. Mr. Speaker, may I submit another parliamentary inquiry? At this stage of the proceedings is it necessary to have three objections? Should that be required at this moment or later?

The SPEAKER pro tempore. That would be required later on.

Mr. UNDERHILL. Mr. Speaker, I brought this matter to the attention of the Members of the House when the Consent Calendar was up before, and although I have been interviewed in the interim by various groups and individuals, the objections which I raised at that time have in no wise been met; in fact, I find that those who have visited me are under a grave misapprehension, and after an explanation on my part have been convinced that I was absolutely right in raising my objection.

It is a sad commentary upon the District of Columbia—not upon the Nation—that it has not provided adequate quarters for the veterans of the Grand Army. This should be done, and I have pledged myself for one to do everything in my power to secure proper quarters for the veterans of the Grand Army and such other veteran organizations as may need it.

Mr. AYRES. Will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. AYRES. Does not the gentleman think it is somewhat late now?

Mr. UNDERHILL. I do not think so; I think it can be accomplished. However, the best thing to do under the circumstances is to allow this bill to go over without prejudice, and then get together and see if we can not iron out the differences and find some solution of the immediate necessity for the Grand Army veterans and other affiliated bodies. But as far as receding from the position I took previously I refuse to back down one single inch. The same objections are as valid to-day as they were before. I am going to do everything I can to prevent the preservation of this gruesome, morbid, disgraceful monument to the memory of a murderer, rather than a monument to the life and accomplishments of Abraham Lincoln.

Mr. Speaker, I ask unanimous consent that the matter be passed over without prejudice in order that we may take it up as soon as possible and see if we can not find some place for the veterans of the Grand Army and other kindred organizations to meet.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. YATES and Mr. BLANTON objected.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. UNDERHILL, Mr. BLACK of Texas, and Mr. HUDLESTON objected.

Mr. YATES. Mr. Speaker, I would like to have it distinctly understood that there are three objections.

The SPEAKER pro tempore. The three objections will be stated in the RECORD.

Mr. YATES. Mr. Speaker, I ask unanimous consent to insert in the RECORD this letter that I read from the architect, and an additional statement from Colonel Grant. In support of them I want to say one word, if I may have unanimous consent, before the bill is disposed of. I want to say this, and I am very anxious that every Member of the House should consider it. On Saturday Colonel Grant and I and General Clem, a Grand Army veteran, and Mr. Dillon, representative of the veterans of the war with Spain, went over this building inch by inch and then went over the little old building in which are housed the relics of Abraham Lincoln for which this nation paid \$50,000.

Mr. Speaker and gentlemen, it is an absolute shame the way in which the things we bought are now placed. If you will go down in the cellar of that place, you will find a collection there, not belonging to the United States, as I understand it, but to Mr. Oldroyd, who is not to blame, and I do not criticize him, where the touch of one match will absolutely destroy the whole value of the collection. In the community where I live, the home of Abraham Lincoln, we would not think for one moment of leaving those things in the condition they now are.

You object to the bill—I have no criticism of that—but something ought to be done, and done without a moment's delay, to preserve these things. They are not intrinsically valuable, but they could not be replaced in a thousand years.

The matter referred to by Mr. YATES follows:

PUBLIC BUILDINGS AND PUBLIC PARKS OF THE NATIONAL CAPITAL,  
Washington, D. C., February 2, 1929.

HON. RICHARD YATES,

House of Representatives, Washington, D. C.

Subject: Remodeling Ford Theater Building.

MY DEAR MR. YATES: In reply to your inquiry concerning the fireproof character of the Ford Theater, I wish to state that under the provisions of the bill now pending before Congress, this office contemplates remodeling the building into a modern fireproof structure which will be equal in all respects to the fireproof structures of to-day.

Very respectfully,

CHARLES A. PETERS, JR.,

Structural Engineer.

PUBLIC BUILDINGS AND PUBLIC PARKS OF THE NATIONAL CAPITAL,  
Washington, D. C., February 1, 1929.

HON. RICHARD YATES,

House of Representatives, Washington, D. C.

Subject: Remodeling Ford Theater Building.

MY DEAR MR. YATES: Supplementing my letter of January 29, 1929, and in further reply to your request of January 30, 1929, for my personal opinion in regard to the reconstruction of the Ford Theater proposed by Mr. Rathbone's bill (H. R. 7206), I submit the following:

The first reason for the measure was to provide fireproof and adequate room for the Oldroyd collection of Lincoln relics, which for many years has been in the house in which President Lincoln died, which is a fire trap and has not adequate room for the proper display of the existing collection in such a way that the public can really view it to advantage. The Ford Theater Building, a fireproof building already in the possession of the Government, naturally suggested itself, not only because it was about the right size and had the characteristics desired and because it could be fixed up for the purpose at the minimum cost to the Government, but also because it was the actual site of President Lincoln's martyrdom. Within the walls still existing the tragic shot was fired.

To these reasons should be added another very important one to the public, namely, that the location of the Ford Theater Building is most convenient, while it might be very difficult to find any other equally accessible place in which to give it suitable housing. Now, if the Government's expenditure in buying this collection is to result in the greatest public good, the collection should be accessible to the hotel and business districts in which visitors to Washington find themselves the greater part of the time.

For all these reasons, the convenience of the public, less cost for initial work and maintenance, and the sentimental association, it has appeared to me that the collection could not be more suitably housed than in the Ford Theater Building. While I fully appreciate and in some measure sympathize with Mr. UNDERHILL's abhorrence of the crime committed in this building and his desire not to emphasize it unnecessarily in the public mind, I believe that it already occupies such an important place in history and is so associated in the public mind with Mr. Lincoln's public services to the Nation, because it brought them to an abrupt close just at the time when the most serious political questions of reconstruction were arising, that I doubt whether any ignoring of the site and physical remnants would tend to efface the memory of the crime. In my opinion the reconstruction of the box and in a general way of the theater auditorium, together with the location in the building of a collection of relics so intimately connected with President Lincoln's life, most suitably enshrines the collection and appropriately summarizes the long period of his great public services by housing them in the surroundings in which his labors for the Nation so tragically ended.

Therefore, when Mr. Rathbone asked me to give him an estimate of the cost of putting the building in condition to house the collection and to make of the Ford Theater itself a Lincoln and Civil War Museum, it seemed quite natural to consider in the matter a partial restoration of the auditorium of the theater, including a replica of the box occupied by President Lincoln on that fatal night. It was thought best not to reproduce the auditorium exactly in all its features; first, because some of the details were not known, and, secondly, because carrying it to its original height would reduce the floor space too much and not leave enough room assured for further accretions to the collection. However, very full information exists about the stage and the box, both in contemporary descriptions and pictures, so that it would be possible to reproduce the box and its surroundings with accuracy. It is noteworthy that since the purchase of the collection by the Government many additional Lincoln relics have been offered, and it may be expected that such offers will be continued. Moreover, Mr. Oldroyd himself has indicated his readiness to donate a considerable additional collection of Civil War memorabilia if the collection is located in the Ford Theater Building under conditions adequately protecting it against fire and other probable damage.

I understood from the chairman of the Commission of Fine Arts that this proposal had the commission's approval, and it seemed to me that it would have a real interest to the public, both from the association



with Mr. Lincoln's last moments and from the standpoint of retaining for future generations the appearances and scale of theater of that day.

In this connection Mr. Rathbone was very much interested in the possibility of such an auditorium being used for patriotic exercises on Mr. Lincoln's birthday and similar occasions, as well as affording a more or less consecrated meeting place for patriotic societies. At the present time the Grand Army of the Republic is reduced in numbers and is being moved out by the Government from the quarters it has so long occupied at 1412 Pennsylvania Avenue. To have such a meeting place would be a great help to this organization and would certainly be a privilege much appreciated by the veterans who fought the country's battles under Mr. Lincoln's administration. We must look forward to the time in 15 or 20 years when the Spanish War veterans will be in the same situation as the Grand Army of the Republic are to-day, and at a still further period in the future the American Legion will welcome the opportunity to hold meetings in such a place when its numbers and financial ability to rent larger quarters have diminished. H. R. 7206 provides for such use of the parts of the building not needed for the primary use of housing the now Government-owned exhibit of relics.

Very respectfully,

U. S. GRANT, 3d, *Director.*

The bill and report is as follows:

H. R. 7206, Seventieth Congress, first session

IN THE HOUSE OF REPRESENTATIVES,  
December 13, 1927.

Mr. Rathbone introduced the following bill, which was referred to the Committee on the District of Columbia and ordered to be printed. January 17, 1928, committed to the Committee of the Whole House on the state of the Union and ordered to be printed:

A bill (H. R. 7206) to establish a national war memorial museum and veterans' headquarters in the building known as Ford's Theater

*Be it enacted, etc.,* That the Director of Public Buildings and Public Parks of the National Capital is authorized and directed to make such alterations and repairs to the building known as Ford's Theater as may be necessary to permit the use of such building for the following purposes:

(1) As a museum for war relics and other articles of national and patriotic interest; and the director is authorized, in his discretion, to accept on behalf of the United States articles which may be offered as additions to the museum;

(2) As a permanent repository for the Oldroyd collection of Lincoln relics purchased by the United States under authority of the act entitled "An act for the purchase of the Oldroyd collection of Lincoln relics," approved May 11, 1926; and

(3) Under rules and regulations prescribed by the director, as a national headquarters of the Grand Army of the Republic and of other veterans' organizations.

SEC. 2. There is hereby authorized to be appropriated the sum of \$100,000, or so much thereof as may be necessary, to cover the cost of such alterations and repairs, including the cost of preparing necessary plans, specifications, and estimates (which shall be subject to the approval of the Director of Public Buildings and Public Parks of the National Capital and the Commission of Fine Arts), and the cost of personal services.

SEC. 3. Responsibility for the care, maintenance, and protection of such building is hereby transferred from the Secretary of War to the Director of Public Buildings and Public Parks of the National Capital, and, upon completion of the alterations and repairs authorized to be made by this act, such building shall be known as the national war memorial museum and veterans' headquarters, and shall, together with all exhibits and other articles housed therein, be under the jurisdiction of the Director of Public Buildings and Public Parks of the National Capital. There are authorized to be appropriated annually such amounts, to be expended under the direction of such director, as may be necessary for the care, maintenance, and protection of such museum and veterans' headquarters and the exhibits and other articles housed therein.

[H. Rept. No. 299, 70th Cong., 1st sess.]

#### ESTABLISHMENT OF A LINCOLN MEMORIAL MUSEUM IN BUILDING KNOWN AS FORD'S THEATER

Mr. BEERS, from the Committee on the District of Columbia, submitted the following report to accompany H. R. 7206:

The dwelling in which President Lincoln died houses the Oldroyd collection of Lincoln relics which the Government has acquired. The building is not fireproof, and with its valuable contents it may at any time be destroyed. It is not safe for any large crowd of visitors and it is not large enough for the present collection, to say nothing of any additions. Across the street is Ford's Theater, where the President was shot. This was acquired by the Government soon after the tragedy in order that it might never again be used as a theater or put to commercial use. It has of late been used as a Government storehouse, which is not compatible with its tragic associations.

It seems eminently fitting that the Oldroyd collection shall be transferred to the Ford Building after that has been suitably remodeled. Your committee therefore advises the passage of H. R. 7206.

The cost of repairing and remodeling Ford's Theater has been carefully estimated by the Director of Public Buildings and Grounds for the District of Columbia and other responsible persons who state that the total amount required to be expended would not exceed \$100,000. It should be borne in mind that in any event considerable repairs would have to be made to the building in the very near future.

Carefully prepared charts and diagrams of the interior of Ford's Theater have also been made, which show the arrangements of the three floors of the building as it would be when remodeled.

Besides the Oldroyd collection of Lincoln relics, numbering several thousand pieces, and now the property of the United States, other Lincoln collections of value and of interest are promised which could be suitably exhibited when Ford's Theater is converted into a national museum.

It seems to the committee that another use, to which Ford's Theater could well be put to the greatest advantage, would be to establish there a headquarters for the veterans of the Grand Army of the Republic. These old soldiers now are with only a very small and unsatisfactory rented space in a building, which is soon to be torn down. Surely in the Nation's Capital some provision should be made for a headquarters for these veterans.

This bill has been indorsed by a large number of organizations of the highest standing, not only of veterans but of other civic and patriotic bodies.

Your committee therefore unanimously recommends that the bill H. R. 7206 do pass.

Mr. BLANTON. Mr. Speaker, I am heartily in favor of the bill, and I was hopeful that the Members who objected to the consideration of the bill would withdraw their objections.

If they knew the situation down there and the necessity for an adequate building for the preservation of these memorial articles, I think no man in the House would object.

Mr. BLACK of Texas. Why can they not be put in the National Museum?

Mr. BLANTON. They are one collection concerning the life of one man, and the people in my country revere his memory just as do the people in the State of Massachusetts.

Mr. UNDERHILL. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. UNDERHILL. I call attention to the fact that the gentleman's objection was the one that killed the bill and not ours.

Mr. BLANTON. Oh, no. I objected to postponing it. I was trying to keep my friend from Massachusetts from killing it by putting it off.

If we could get this bill up and pass it, it would have a chance to pass the Senate and become a law before the Congress ends. Let me say this in behalf of the memory of our departed friend from Illinois, Henry Rathbone. This is his bill. He worked night and day and convinced every man on the committee that this is a good bill and ought to pass. Everyone who knew Mr. Rathbone knows that he was a conscientious and faithful servant of the people, and out of respect to his memory—and he gave his life here in the service of the people—I hope my friends will withdraw their objections and let the bill pass. It is a good bill, and it ought to pass. If a proper building is not given, the first thing we know the sweep of a flame of a match or the fall of a cigarette stub will wipe out that collection. It ought to be preserved.

Mr. YATES. And if not, Mr. Speaker, within a very short time the expenditure of at least \$50,000 will be necessary. I think we ought to meet the emergency now before the last soldier marches over the hill.

Mr. UNDERHILL. Mr. Speaker, I ask unanimous consent to speak for three minutes.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. UNDERHILL. Mr. Speaker, I do not want the House to get a wrong impression from anything I have said or that anyone else has said on the floor of the House. There is no feeling of enmity in my heart against anyone. There is no endeavor upon my part to kill a worthy proposition. It is my opinion that within a week proper measures could be presented to this House which would provide for no greater expenditure than is contemplated here, and the erection, if necessary, of quarters to house these records and to house also the veterans of the Grand Army of the Republic. My objection, and I think the objection of those who joined with me, comes from a feeling of horror that the perpetuation of a building which was the site of a tragedy from which the world has not yet recov-

ered, instead of being a monument and a memento to the life and works and the mercy and kindness of our martyred President, would become a monument to his murderer, John Wilkes Booth. You could not prevent it under the terms of this bill, and if you should consider this bill, it would be almost impossible to so amend the bill upon the floor of the House as to meet the objections which I voice. If anyone is to blame for something which may occur in the future, the blame must rest with those who objected to laying the matter over for a week for further consideration, not to me.

Mr. YATES. Mr. Speaker, do I understand that the bill goes over because it has had three objections?

The SPEAKER pro tempore. The bill is off the calendar for the present session.

Mr. YATES. What is the present condition of the bill?

The SPEAKER pro tempore. It is on the Union Calendar. The bill is off the Consent Calendar for the balance of this session, but it remains on the Union Calendar.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to speak for a quarter of a minute, to speak to the gentleman from Illinois.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BLANTON. If the distinguished ex-Governor of Illinois will get permission of the Speaker at 3 o'clock, when suspensions will be in order, to take up this bill under suspension of the rules, I think he could pass it under suspension.

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. YATES. Would a motion to suspend the rules and pass the bill be in order?

The SPEAKER pro tempore. It would, if the Speaker would recognize the gentleman for that purpose.

Mr. YATES. I have already interviewed the Speaker on that point, and he says not to-day.

#### EQUALIZING PAY OF CERTAIN CLASSES OF OFFICERS, UNITED STATES ARMY

The next business on the Consent Calendar was the bill (S. 3569) to equalize the pay of certain classes of officers of the Regular Army.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

Mr. BARBOUR. Mr. Speaker, I object.

Mr. BLACK of Texas. Mr. Speaker, I object.

#### DOUBLE PENSION FOR DISABILITY FROM AVIATION DUTIES

The next business on the Consent Calendar was the bill (S. 3198) to amend the act of March 3, 1915, granting double pension for disability from aviation duty, Navy or Marine Corps, by inserting the word "Army," so as to read: "Army, Navy, and Marine Corps."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER. Mr. Speaker, I object.

#### DENTAL CORPS, UNITED STATES NAVY

The next business on the Consent Calendar was the bill (H. R. 480) for the relief of certain officers of the Dental Corps of the United States Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

#### TRANSFER OF CERTAIN LAND IN OREGON

The next business on the Consent Calendar was the bill (S. 4036) to authorize the Secretary of War to transfer the control of certain lands in Oregon to the Secretary of the Interior.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of War be, and he is hereby, authorized to transfer to the control of the Secretary of the Interior, for the use and benefit of certain Indians now using and occupying the land as a fishing camp site, two irregular-shaped parcels of land containing in the aggregate approximately 7½ acres, located in lot 1 of section 17 and in lots 1 and 2 of section 20, township 2 north, range 15 east, Willamette meridian, Oregon, originally acquired by the United States as a

right of way for a projected boat railway in connection with the improvements of The Dalles-Celilo section of the Columbia River: *Provided*, That a strip 40 feet wide be reserved from such transfer for a roadway connection between the lock keeper's grounds at Celilo and the Columbia River Highway."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The next business on the Consent Calendar was the bill (H. R. 13038) to authorize the Secretary of War to transfer the control of certain land in Oregon to the Secretary of the Interior.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LEAVITT. Mr. Speaker, this bill is an identical bill to the one just passed, and I ask unanimous consent that this bill lie on the table.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

#### DELEGATE AND EXHIBIT TO FOURTH WORLD'S POULTRY CONGRESS

The next business on the Consent Calendar was House joint resolution (H. J. Res. 382) to send delegates and an exhibit to the Fourth World's Poultry Congress to be held in England in 1930.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. BLANTON. Mr. Speaker, I object.

Mr. FISH. Will the gentleman reserve his objection?

Mr. BLANTON. If the gentleman desires to speak, I do.

Mr. FISH. Mr. Speaker, this resolution provides for the sending of delegates and an exhibit to the Fourth International Poultry Congress to be held in Great Britain. It was recommended by the President of the United States in a message to the Congress through the Secretary of State. It was indorsed by the Secretary of Agriculture and by the Director of the Budget. The Committee on Foreign Affairs held hearings and the Assistant Secretary of Agriculture, Mr. Dunlap, appeared before the committee with a number of experts from the Agricultural Department, and the committee, after careful consideration, unanimously reported the joint resolution.

Mr. BLANTON. Will the gentleman yield?

Mr. FISH. I will.

Mr. BLANTON. Every farmer in my district of 400,000 people raises poultry and is interested in it. If the gentleman can tell me how the expenditure of this \$40,000 to send a junket over to Great Britain will benefit any one of these farmers in my district, I will withdraw the objection. But it is a waste, a \$40,000 waste.

Mr. FISH. It is a very fair question, and what I am trying to do is to persuade the gentleman and show him the reason why every farmer, poultry farmer, in this country will be benefited, and I hope the gentleman will pay strict attention. The United States of America is the biggest poultry raiser in the world. We produce one-third of the eggs and poultry in the world. The farmers of this country have a tremendous commerce in poultry with European and South American nations. We sell vast quantities of poultry and eggs to Europe and South America. We ought to send expert poultry men and an exhibit from the United States when every other nation in the world is ready and glad of the opportunity to exhibit their poultry products. This resolution only provides for \$15,000 for delegates and the balance, amounting to \$25,000, for an exhibit.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. FISH. I will.

Mr. BLANTON. Did my distinguished colleague from New York attend the Interparliamentary Union in this Chamber when legislators from the peoples of the world came here?

Mr. FISH. I regret to say I was unable to.

Mr. BLANTON. There was not much good accomplished because the gentleman was not here.

Mr. FISH. I could not quite agree with the gentleman.

Mr. BLANTON. Has the gentleman raised poultry himself?

Mr. FISH. Oh, yes. Let me go on and try to persuade my good friend from Texas that this is in the interest of the trade and commerce of the United States, and particularly of those people who raise poultry and eggs and sell poultry and eggs in foreign nations. It is very important that we have exhibits at the Fourth World's Poultry Congress, and if we fail to it may seriously hamper our poultry exports and be the cause of losing our foreign markets. Assistant Secretary Dunlap persuaded all the members of the committee, including the gentleman from



Virginia [Mr. MOORE], that it was of the utmost importance to our poultry trade with foreign lands for us to take an active part in the proposed congress. I would like him to answer the question and state that this resolution is in the interest of the poultry raisers and the commerce of the United States.

Mr. MOORE of Virginia. The showing made was certainly satisfactory to us, although it may not be to the gentleman from Texas. The point was made that the conferences heretofore held have resulted in very considerable good in the way of investigation of the general subject—the improvement of breeds—that has been of benefit to the poultry raisers of the United States.

And then another thing, if I may interrupt my distinguished friend from Texas, this interesting fact was brought out, that the poultry business of this country in volume and in value stands near the very head of the list of agricultural products.

Mr. FISH. Fifth on the list. It comes in after cotton. First come dairy products, next corn, then swine, cotton, and poultry.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. BLANTON. I am afraid that when we spend this \$40,000 the junketeers that we send over to Great Britain will be like the gentleman from New York was when the Interparliamentary Union met here; they will be somewhere else. I venture to say that every farmer in my district knows more about poultry in a minute than these junketeers will know as long as they live.

Mr. FISH. This resolution aims to promote sales abroad, not junketing.

Mr. BLANTON. I am constrained to object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

#### ROCK CREEK AND POTOMAC PARKWAY

The next business on the Consent Calendar was the bill (H. R. 16209) to enable the Rock Creek and Potomac Parkway Commission, established by act of March 4, 1913, to make slight changes in the boundaries of said parkway by excluding therefrom and selling certain small areas, and including other limited areas, the net cost not to exceed the total sum already authorized for the entire project.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Reserving the right to object, Mr. Speaker, I want to say that the idea I have is that once park land, always park land. If the sponsors of the bill are willing to strike out, on page 2, the proviso that permits the selling of land to owners of adjacent property, I shall not object. Otherwise I will object.

Mr. LUCE. Mr. Speaker, if the gentleman will yield, I am merely, of course, the transmitter of this bill. It is brought in as framed by the counsel for the commission in question, but it appeals to my judgment because only very small areas are involved and this measure will enable us to make the improvements without added expense to the Government.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. CRAMTON. My understanding is that the lands which this bill will exclude are not lands that have been acquired as yet. They are lands that are within the boundaries proposed to be acquired, but they are not yet acquired.

Mr. LAGUARDIA. There is no objection to excluding them, but then it provides that the Director of Public Buildings and Public Parks of the National Capital may dispose of the lands so excluded, either by public auction or at a fair appraised value, or to the owners of adjacent property at a price not less than that paid for it. My objection is at any time against disturbing any land in park areas.

Mr. LUCE. It seems to me this should be left to the good faith and judgment of such men as Colonel Grant and his associates.

Mr. LAGUARDIA. What are we here for?

Mr. LUCE. We are here so far as possible to exercise judgment about important questions of policy.

Mr. LAGUARDIA. I have had some experience with parks in my city. We have slightly more parks in my little town than you have here in Washington. I yield my judgment to none in the belief that it is wise never to dispose of park areas.

Mr. SIMMONS. I agree with the gentleman that we ought not to part with park lands in the District, but it occurs to me it might be wise to exchange some of these small areas for others.

Mr. LUCE. In the 10 years of my tenure here I have wondered why this parkway was not completed. The delay, if continued, may postpone its completion beyond the time of the gentleman's service and mine. Every such meticulous point as this further delays the completion of an exceedingly desirable public improvement.

Mr. LAGUARDIA. I agree with the policy to exclude such lands as are not now within the proposed area, but not to exclude lands that are within that area.

Mr. CRAMTON. As I understand, the gentleman would not object to the bill if the last two provisos were stricken out?

Mr. LAGUARDIA. Only the one I mentioned.

Mr. CRAMTON. The last would go with the other.

Mr. LUCE. I had intended to ask for the substitution of the bill from the Senate which is now before the House. It is exactly the same bill.

Mr. LAGUARDIA. Can the gentleman support my amendment?

Mr. LUCE. I can not consistently support it, but I will not oppose it.

Mr. LAGUARDIA. I do not want to take arbitrary judgment on that, but I submit it to the House and am prepared to yield gracefully.

Mr. LUCE. I will keep still, but I will not urge the adoption of the amendment.

Mr. LAGUARDIA. But the House is largely guided by the gentleman's good judgment.

Mr. LUCE. The gentleman pays me too high a compliment in thinking that when I keep silent I still have influence in the House.

Mr. LAGUARDIA. I was through that but a few moments ago. If the gentleman will support my amendment and make that a consideration of the bill, I shall not object.

Mr. LUCE. I am sure no gentleman will ask another Member to support something on the floor of the House against his better judgment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

#### BRIDGE ACROSS THE MISSISSIPPI RIVER AT VICKSBURG, MISS.

The next business on the Consent Calendar was the bill (H. R. 14472) to extend the time for the construction of a bridge across the Mississippi River at or near the city of Vicksburg, Miss.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the times for beginning and completing the construction of the bridge across the Mississippi River at or near the city of Vicksburg, Miss., authorized by the act of Congress entitled "An act granting the consent of Congress to the Vicksburg Bridge & Terminal Co. to construct, maintain, and operate a bridge across the Mississippi River at or near the city of Vicksburg," approved May 3, 1926, be, and the same is hereby, extended to one and three years, respectively, from May 3, 1927.

With the following committee amendments:

In line 3, page 1, strike out the word "times" and insert the word "time."

Strike out the words "beginning and."

In line 4 strike out "the" and insert "a."

In line 5 strike out the words "or near."

In line 11 strike out the words "one and three years, respectively, from" and the figures "1927" and insert "1930."

On page 2 insert:

"Sec 2. The right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

Amend the title so as to read: "A bill to extend the time for completing the construction of a bridge across the Mississippi River at the city of Vicksburg, Miss."

#### BRIDGE ACROSS THE OHIO RIVER AT MAYSVILLE, KY.

The next business on the Consent Calendar was the bill (H. R. 14479) to extend the times for commencing and com-

pleting the construction of a bridge across the Ohio River at ~~at~~ near Maysville, Ky., and Aberdeen, Ohio.

The Clerk read the title of the bill:

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio, authorized to be built by Dwight P. Robinson & Co. (Inc.), its successors and assigns, by the act of Congress approved March 12, 1928, are hereby extended one and three years, respectively, from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

On page 1, line 6, strike out the parenthesis and the word "Incorporated" and insert the word "Incorporated" without the parentheses.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### BRIDGE ACROSS THE OHIO RIVER AT OR NEAR MAYSVILLE, KY.

The next business on the Consent Calendar was the bill (H. R. 15201) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio, authorized to be built by the Maysville Bridge Co., its successors and assigns, by the act of Congress approved March 12, 1928, are hereby extended one and three years, respectively, from the date of approval hereof.

With the following committee amendments:

Page 1, line 8, strike out the words "the date of approval hereof" and insert in lieu thereof "March 12, 1929."

On page 2 insert:

"Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### BRIDGE ACROSS THE OCMULGEE RIVER AT FITZGERALD, GA.

The next business on the Consent Calendar was the bill (H. R. 15714) to extend the times for commencing and completing the construction of a bridge across the Ocmulgee River at or near Fitzgerald, Ga.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge across the Ocmulgee River at or near Fitzgerald, Ga., authorized to be built by J. E. Turner, his heirs, legal representatives, or assigns, by the act of Congress approved April 4, 1928, are hereby extended one and three years, respectively, from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 4, strike out the word "the" and insert "a."

Page 1, line 8, strike out the words "the date of approval hereof" and insert "April 4, 1929."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### BRIDGE ACROSS THE ALLEGHENY RIVER AT KITTANNING, PA.

The next business on the Consent Calendar was the bill (H. R. 15851) to extend the times for commencing and completing the construction of a bridge across the Allegheny River at Kittanning, in the county of Armstrong, State of Pennsylvania.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge across the Allegheny River at or near Market Street, in the borough of Kittanning, county of Armstrong, in the State of Pennsylvania, authorized to be built by the county of Armstrong, a county of the State of Pennsylvania, or its successors and assigns, by the act of Congress approved February 16, 1928, are hereby extended one and three years, respectively, from the date of approval hereof.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 1, strike out the words "the date of approval hereof" and insert "February 16, 1929."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

#### BRIDGE ACROSS THE MISSOURI RIVER AT RANDOLPH, MO.

The next business on the Consent Calendar was the bill (H. R. 16026) to extend the times for the construction of a bridge across the Missouri River at or near Randolph, Mo.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge authorized by the act of Congress approved May 24, 1928, to be built by the Kansas City Southern Railway Co. across the Missouri River at or near Randolph, Mo., in the State of Missouri, are hereby extended one and three years, respectively, from the date of approval hereof.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 5, strike out the word "the" with a lower case "t" and insert the word "The" with a capital "T."

On line 7, after the word "near" insert the words "a point approximately one mile southeast of."

In line 8, strike out the words "in the State of Missouri."

In line 9, strike out the words "the date of approval hereof" and insert "May 24, 1929."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

#### BRIDGE ACROSS PORT WASHINGTON NARROWS

The next business on the Consent Calendar was the bill (H. R. 16035) to extend the time for completing the construction of the bridge across Port Washington Narrows, within the city of Bremerton, State of Washington.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. DENISON. Will the gentleman reserve his objection?

Mr. LAGUARDIA. Certainly.

Mr. DENISON. May I ask the gentleman from New York the ground of his objection?

Mr. LAGUARDIA. I do not think the report shows a sufficient reason for extending the time.

Mr. DENISON. In what respect?

Mr. LAGUARDIA. Generally. There are several of these bills that I am going to object to.

Mr. DENISON. I was asking particularly as to this bill. Is there anything the committee could do to remove the gentleman's objection?



Mr. LAGUARDIA. Yes. Reduce the extension period from three years to one year.

Mr. DENISON. It is only the completion of the bridge that is extended three years. The general law allows one year to begin and three years to complete. We merely extend both periods one year. I thought the gentleman has misread that. We never extend the period of beginning three years or two years; we never extend it over one year in any case. We just extend both dates.

Mr. LAGUARDIA. But you have not done that in this bill.

Mr. DENISON. This is merely extending the time for the completion of the bridge. The bridge is already begun.

Mr. LAGUARDIA. Is this bridge begun?

Mr. MILLER. No; not the actual construction. If it was, of course, we would not be here with the bill.

Mr. LAGUARDIA. Exactly.

Mr. MILLER. But this bridge is to connect two parts of the city of Bremerton and the city of Bremerton is the site of the United States Navy Yard and the bridge will be used a great deal by employees of the yard, and will facilitate matters to a great extent. All the preliminary work has been done.

Mr. LAGUARDIA. Is it the purpose of this bill that the bridge here must be completed in three years?

Mr. DENISON. Yes.

Mr. MILLER. Certainly.

Mr. LAGUARDIA. The gentleman will admit that this bill is different from the other bills?

Mr. DENISON. Yes; because the others only ask for an extension of the time of completion and not the time of beginning.

Mr. LAGUARDIA. With that understanding, the objection is withdrawn.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the time for completing the construction of the bridge across Port Washington Narrows, within the city of Bremerton, State of Washington, authorized by the act of Congress, entitled "An act granting the consent of Congress to W. E. Buell, of Seattle, Wash., to construct a bridge across Port Washington Narrows, within the city of Bremerton, in the State of Washington," approved June 14, 1926, be, and the same is hereby, extended three years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 2, strike out the words "the date of approval hereof," and insert in lieu thereof "June 14, 1929."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### BRIDGE ACROSS THE MISSISSIPPI RIVER NEAR NEW ORLEANS

The next business on the Consent Calendar was the bill (H. R. 16162) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near New Orleans.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near New Orleans, authorized to be built by George A. Hero and Allen S. Hackett, their successors and assigns, by the act of Congress approved March 2, 1927, are hereby extended one and three years, respectively, from March 1, 1929.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 4, after the word "river," strike out the words "at or near" and insert in lieu thereof the word "between."

Page 1, line 5, after the word "Orleans," insert the words "and Gretna, La."

Page 1, line 8, after the figures "1927," insert the words "heretofore extended by act of Congress approved March 6, 1928."

Page 1, line 10, strike out the figure "1" and insert the figure "6."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Amend the title so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La."

#### BRIDGE ACROSS THE ST. JOHN RIVER

The next business on the Consent Calendar was the bill (H. R. 16270) to revive and reenact the act entitled "An act granting the consent of Congress for the construction of a bridge across the St. John River between Fort Kent, Me., and Clairs, Province of New Brunswick, Canada," approved March 18, 1924.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the act of Congress approved March 18, 1924, granting the consent of Congress to the State of Maine and the Dominion of Canada to construct, maintain, and operate a bridge across the St. John River at a point suitable to the interests of navigation between Fort Kent, Me., and Clairs, Province of New Brunswick, Canada, be, and the same is hereby, revived and reenacted: *Provided,* That the construction of said bridge shall not be commenced until the consent of the proper authorities of the Dominion of Canada for the erection of the structure shall have been obtained.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 2, strike out the word "the" and insert the words "this act shall be null and void unless the actual."

Page 2, line 4, after the word "shall," strike out the word "not," and in the same line, after the word "commenced," strike out the words "until the consent of the proper authorities of the Dominion of Canada for the erection of the structure shall have been obtained" and insert "within one year and completed within three years from the date of approval hereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### BRIDGE ACROSS THE OHIO RIVER AT AUGUSTA, KY.

The next business on the Consent Calendar was the bill (H. R. 16279) to extend the times for commencing and completing the construction of a bridge across the Ohio River at Augusta, Ky.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge across the Ohio River at Augusta, Ky., authorized to be built by J. C. Norris, as mayor of the city of Augusta, Ky., his successors and assigns, by the act of Congress approved April 20, 1928, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 8, strike out "the date of approval hereof" and insert in lieu thereof "April 20, 1929."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### BRIDGE ACROSS THE POTOMAC RIVER NEAR GREAT FALLS

The next business on the Consent Calendar was the bill (S. 4721) to extend the times for commencing and completing the construction of a bridge across the Potomac River at or near the Great Falls, and to authorize the use of certain Government land.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER. Mr. Speaker, I object.

Mr. DENISON. Mr. Speaker, will the gentleman withhold his objection?

Mr. SCHAFER. I withhold it.

Mr. DENISON. May I ask the gentleman from Wisconsin on what ground he objects?

Mr. SCHAFER. I would refer the gentleman to the debate on the floor of this House when the original bill was passed. I opposed that bill and forced a roll call under the parliamentary situation. I am opposed to the bill under consideration for the

reasons given at that time, and I am going to do everything I can to prevent its enactment.

Mr. CRAMTON. Will the gentleman from Wisconsin reserve his objection long enough for me to make a suggestion in the Record for the consideration of those who are interested in the bill? The bill came up for consideration and I had in mind to ask approval of the following amendment:

Page 2, line 9, before the word "been" insert "and as may be approved by the National Planning and Parking Commission."

That is to say, if we are going to give the bridge company the use of Government land, I think the views of the National Planning and Parking Commission ought to be secured because we are hopeful of having this as a parkway area along the Potomac, and it would be undesirable for the bridge company to do anything that might conflict.

Mr. DENISON. Does not the original bill provide for that?

Mr. CRAMTON. No; it does not, because this is a new and separate section. When it comes up I would like an opportunity to offer the amendment.

The SPEAKER pro tempore. Objection is heard.

#### BRIDGE ACROSS THE MISSOURI RIVER AT SIOUX CITY, IOWA

The next business on the Consent Calendar was the bill (H. R. 14460) authorizing the Iowa-Nebraska Free Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Sioux City, Iowa.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. COCHRAN of Missouri. Reserving the right to object, I rise for the purpose of calling the attention of Members to this bill. It shows what a community can do with reference to the construction of a toll bridge. The author, Mr. HOWARD of Nebraska, has made every attempt to protect the people's interest; further, a sinking fund is created, the tolls go into the sinking fund, and in the end the bridge will be declared free. I commend this bill to Members who find it necessary to introduce bridge bills and hope they will follow the example set by the gentleman from Nebraska [Mr. HOWARD], see that the municipality constructs the bridge, thus eliminating the professional promoter, who seeks to exploit the Federal highway system.

While I am on my feet I want to say that I have looked over the bills reported by the committee and now on the calendar, and I am pleased to notice that the committee made two important changes in the bills. One of the changes refers to the time that the municipality or State can take over the bridge, and the second is a new section, a very important section, which provides that the contract must be let by competitive bidding. This is going to result in lowering the cost of construction. I want to ask the chairman of the subcommittee on bridge bills [Mr. DENISON] if the committee will not also consider in the future some kind of an amendment which will provide that, after a reasonable return is received by the owners of the bridge from tolls, the balance of the money be placed in a sinking fund to retire the bonds so that in the end it will become a free bridge. I think that is an important amendment to add, and it would remove a great deal of objection to these bills. It would give assurance the bridge would eventually become free and reduce the cost to the municipality or State when the time comes to take control under the recapture clause.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. COCHRAN of Missouri. With pleasure.

Mr. LAGUARDIA. The gentleman has taken a great deal of interest in bridge bills. I want to say that this bill is not an ideal bill. It provides for a sinking fund generally, but it does not provide how much dividends shall be paid before the payment is made into the sinking fund to amortize the amount. It is one step forward, but it is not an ideal bill.

Mr. COCHRAN of Missouri. It is a step in the right direction and the author should be commended for his efforts. If this project succeeds it can be held up as an example. The gentleman from Nebraska [Mr. HOWARD] tells me construction will start shortly after the consent of Congress is granted. They are trying to eliminate the promoter and he should be eliminated. The gentleman from New York, who is always rendering splendid service, deserves a great deal of credit for the interest he has shown in private toll bridge bills. His suggestions are always worthy of consideration, and they do receive consideration. Let this project be tried out. A more ideal bill will probably soon follow.

Mr. HOWARD of Nebraska. Will the gentleman yield to me? I want to suggest to the gentleman that, while the bill may not be perfect, it is just as perfect as in my wisdom I was capable of making it.

Mr. LAGUARDIA. I believe that. [Laughter.]

Mr. HOWARD of Nebraska. If the gentleman will observe closely, he will discover that the committee has inserted in the bill a clause which the gentleman has never seen in any other bill, protecting the interest of all of the people, by providing that a commission of the mayors of the municipalities at either end of the bridge shall see to it, just what the gentleman desires, namely, that this money shall be paid in to meet the cost of the bridge on the earliest day possible.

Mr. LAGUARDIA. I do not think there is any objection to the gentleman's bill.

Mr. HOWARD of Nebraska. Then I subside. [Laughter.]

The Clerk read the bill, as follows:

H. R. 14460, Seventieth Congress, second session

A bill (H. R. 14460) authorizing the Iowa-Nebraska Free Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Sioux City, Iowa

*Be it enacted, etc.,* That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes the Iowa-Nebraska Free Bridge Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Sioux City, Iowa, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Iowa-Nebraska Free Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said Iowa-Nebraska Free Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of such bridge as determined by the Secretary of War, either the State of Nebraska, the State of Iowa, any public agency, or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. The Iowa-Nebraska Free Bridge Co., its successors and assigns, shall have the right, in addition to the other rights hereafter granted, to issue first-mortgage bonds in an amount sufficient to pay the cost of the construction of said bridge, the acquisition of necessary real estate and interest in real estate and improvements placed thereon and cost of financing and promotion not to exceed 10 per cent of the total actual cost of construction, acquisition of real estate and interest in real estate and improvements, which bonds shall run not to exceed 20 years from date thereof, and be callable after 5 years at 105 per cent of par value and accrued interest; and to provide therefor, the said Iowa-Nebraska Free Bridge Co., its successors and assigns, shall set up and create a sinking fund out of the net earnings of said bridge for the redemption of said first-mortgage bonds, which shall be so amortized that not less than 3 per cent of said bonds may be retired each year after the fifth year at the callable rate of 105 per cent, and accrued interest: *Provided*, That at any time after the expiration of the term of said bonds, or their retirement as herein provided, and the payment of all operating and other expenses to such date, said bridge with all rights and easements and rights of way thereto appertaining shall become the property of either or both of the States of Iowa and Nebraska, provided they shall pass proper legislation providing for the maintenance and upkeep of said bridge and maintain and



operate the same either as a toll-free bridge or by the imposition of only so much tolls as shall provide for the actual maintenance and operation, and in the event that the said States or neither of them shall desire to assume ownership and jurisdiction, then any county or municipality in either or both of said States shall, upon passing or securing suitable and proper legislation for the maintenance and operation of said bridge, be entitled to assume ownership and jurisdiction thereof and the Iowa-Nebraska Free Bridge Co., its successors and assigns, shall convey said bridge and all real estate and rights or interest in real estate appurtenant thereto, to such State, county, or municipality qualifying themselves to assume ownership and the operation and maintenance thereof, conditioned that same shall be a toll-free bridge or only such toll imposed as may cover the actual costs of operation and maintenance.

SEC. 6. The Iowa-Nebraska Free Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Nebraska and Iowa, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of construction, financing, and promoting such bridge. For the purposes of such investigation the said Iowa-Nebraska Free Bridge Co., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 5 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 7. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Iowa-Nebraska Free Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Strike out all after the enacting clause and insert the following in lieu thereof:

"That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Sioux City, Iowa, in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906, and subject to the conditions and limitations contained in this act.

"SEC. 2. There is hereby conferred upon the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

"SEC. 3. The said Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

"SEC. 4. After the completion of such bridge, as determined by the Secretary of War, either the State of Nebraska, the State of Iowa, any public agency or political subdivision of either of such States, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor by purchase, or by condemnation, or expropriation, in accordance with the laws of either of such States governing the acquisition of private property for public purposes by condemnation or expropriation. If such bridge is so acquired or taken over, the amount of the purchase price to be paid therefor, or in case of condemnation or expropriation the amount of damages to be allowed

therefor, shall be the amount of bonds, debentures, or other evidences of indebtedness actually issued in payment for the bridge and its approaches and improvements and outstanding at the time of such purchase or condemnation, with the accrued interest thereon.

"SEC. 5. If such bridge shall at any time be taken over or acquired by the States or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

"SEC. 6. Upon the completion of such bridge a commission shall be created composed of three members, one of whom shall be appointed by the mayor of South Sioux City, Nebr., one by the mayor of Sioux City, Iowa, and one by the directors of the Iowa-Nebraska Amortized Free Bridge Co.; it shall be the duty of the commission to supervise the collection of tolls and to authorize and audit all expenditures of money received from the collection of tolls; it shall be their duty to see that all revenues received from the bridge, except such amounts as may be necessary for the repair, operation, and maintenance, under economical management of the bridge, shall be paid into the sinking fund and used for the amortization of the outstanding indebtedness incurred for the construction or improvement of the bridge. After a sinking fund sufficient for such amortization shall have been so provided, the bridge shall thereafter be maintained and operated free of tolls, and the Iowa-Nebraska Amortized Free Bridge Co., its successors or assigns, shall thereupon convey, by proper instrument of conveyance, all right, title, and interest in said bridge and its approaches, to the State of Nebraska and the State of Iowa, jointly, or to the highway departments thereof, if such States or their highway departments shall agree to accept and to maintain and operate the same; if such States or their highway departments refuse to agree to accept and maintain and operate said bridge as a free bridge, then the Iowa-Nebraska Amortized Free Bridge Co. shall convey said bridge to either of such States, or to either of the counties thereof in which such bridge is located in whole or in part, as shall agree to accept and to maintain and operate the same as a free bridge.

"SEC. 7. The Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the highway departments of the States of Nebraska and Iowa, a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, the actual financing and promotion costs, and the amount of bonds, debentures, or other evidences of indebtedness issued in connection with the construction of such bridge. The Secretary of War may, and upon request of the highway department of either of such States shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of construction, financing, and promoting such bridge. For the purpose of such investigation the said Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 5 of this act, subject only to review in a court of equity for fraud or gross mistake.

"SEC. 8. Neither the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, or any officer or stockholder thereof, shall directly or indirectly, own or have any interest in any other bridge competing for business with the bridge authorized by this act.

"SEC. 9. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person:

*Provided*, That no such transfer shall be made to any competing bridge company or to any person or persons interested directly or indirectly in any competing bridge.

"SEC. 10. All contracts that may be made in connection with the construction of the bridge authorized by this act, and which shall involve the expenditure of more than \$5,000 shall be let by competitive bidding. Such contracts shall be advertised a reasonable time in some newspaper of general circulation published in the vicinity of such bridge; sealed bids shall be required and the contracts shall be awarded to the lowest responsible bidder. A verified copy or abstract of all bids received and of the bid or bids accepted shall be furnished to the highway departments of the States of Iowa and Nebraska. A failure to comply in good faith with the provisions of this section shall render null and void any contract entered into in violation thereof, and the Secretary of War may, after hearing, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with.

"SEC. 11. The right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. DENISON. Mr. Speaker, I offer the following amendment to the title—to insert the word "Amortized" after the word "Nebraska" in the first line.

The amendment was agreed to.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to proceed for three minutes to reply to questions asked by the gentleman from Missouri.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DENISON. Mr. Speaker, the gentleman from Missouri [Mr. COCHRAN] has submitted to me as chairman of the subcommittee certain questions which I feel ought to be answered. Our committee is now inserting in these bridge bills authorizing the construction of toll bridges by private parties a provision to the effect that if the bridge authorized is constructed by contracts, that all such contracts shall be let by public bidding, after being properly advertised, and that the contracts shall be let to the lowest responsible bidder. That provision is inserted in order to prevent what some fear exists at times—that is, the padding of the cost of bridges or an undue enlarging of the cost of bridges. Of course, it is of importance to the public that the cost of these bridges be kept as low as possible, because the public eventually pays for them by the payment of tolls; or if the State takes them over under the recapture clause, then the cost of the bridge has to be taken into consideration in fixing the amount of damage to be paid. Therefore, in the interest of the public we thought it wise to insert this paragraph providing for safeguarding the letting of contracts for the construction of bridges to be constructed by private parties. We propose to insert that paragraph in all such bills.

Mr. DOWELL. Mr. Speaker, will the gentleman yield? Is there any provision in any of these bills for the supervision of the construction of the bridge originally?

Mr. DENISON. There is not.

Mr. DOWELL. Does not the gentleman believe that if the bridge is to be recaptured the bill should have a provision with reference to supervision of its construction as well as a provision for safeguarding the letting of contracts?

Mr. DENISON. I do not believe that we can work out a provision of that kind that would be satisfactory. In the first place, we would not know whom to let have the power of supervision. In the next place, we have to depend to some extent upon the people who construct the bridge constructing it as carefully and as cheaply as possible.

Mr. DOWELL. Is it not true that placing these bridges up for open bids is of but little consequence unless we have a plan for construction? The whole purpose of it may be defeated unless the bridge is properly constructed. That, it seems to me, is one of the most important things that we have to contend with.

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. CHALMERS. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended for one minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CHALMERS. Would it be possible to put in these bridge bills a provision that the municipalities should have a stated time within which to take advantage of the license before the private party could go ahead with the contract?

Mr. DENISON. The policy of our committee is that before a bill is reported authorizing a bridge to be constructed by a private party, the committee must have a showing from the Member of Congress who filed the bill to the effect that the municipality or State or county will not or can not construct the bridge. We do not report a private bridge bill unless that showing is made.

Mr. CHALMERS. In the bridge that I am interested in just recently there has come up the possibility of the city being interested in its construction.

Mr. DENISON. If the city wants to build the bridge, if they will get the gentleman to introduce the bill, we will report it at any time and give it preference over a private bill.

Mr. BURTNESS. And not only that, but, if so desired, sometimes the committee will refuse to report the bill giving consent to private parties.

Mr. DENISON. Yes. The policy of the committee is to give preference to public authority always.

In answer to the other question submitted by the gentleman from Missouri [Mr. COCHRAN] I wish to say that our committee has not yet been able to prepare any form for a bridge franchise which would provide for the bridge becoming free upon the repayment of the cost of the bridge and a reasonable profit where the bridge is constructed by private parties with private capital. Of course, if Congress should provide such a franchise, and if such a franchise would be acceptable to those who are willing to invest their money in bridges, such an arrangement would be very desirable and would meet the approval of our committee. But we have never yet been informed of any private capital that would be willing to invest in bridges under such conditions.

There is always some hazard to an investment in a bridge. There is a chance of loss. Bridges are expensive structures. When constructed over larger streams, their cost runs into millions. Those who invest in them take some chance on getting their original investment returns. They always take a chance on having the bridge injured or destroyed by irresponsible parties or by storms or floods. Before capital will invest in such structures, there must be a reasonable assurance, not only of a return of the capital invested, but of a reasonable profit thereon while invested. The committee on Interstate and Foreign Commerce will give consideration to any suggestions from any Members of the House, or from any other source, that may be offered with a view to safeguarding the interests of the public. We are considering bills now pending which provide for a general revision of the bridge laws. But such legislation can not be passed during this session. Let me say to the gentleman from Missouri, who has been very much interested in this subject, that under the adopted policy of our committee, franchises for toll bridges are not granted to private parties until a showing has been made to the effect that the State or States or the counties or municipalities in which the bridge is located will not or can not build a public bridge. If the State, county, or municipality requests a franchise for the construction of a bridge, our committee will grant it and will refuse to grant a franchise to private parties to construct a bridge at the same location. All private toll-bridge franchises contain a provision for recapture by the public whenever it is desired to take them over for the purpose of making them free; and after a certain number of years we are providing for a limited measure of damages if condemnation is necessary in order to acquire title to the bridge. Our committee is now shortening the time after which the limited measure of damages will apply. Generally speaking this time will be at five years after the completion of the bridge. In the case of more expensive structures over the larger waterways, the period will be 10 years. So that in all franchises for privately owned toll bridges, the State or States, or the counties or municipalities in which such bridges are located, may purchase them or condemn them, and thereby acquire them by the payment of the actual value of the physical structure at the time they are taken over, no allowance being made for earning power, or going value, or prospective profits. This recapture provision will, we think, entirely safeguard the public and permit the States or the counties to acquire any toll bridge for a fair valuation whenever the States or counties desire to get rid of the tolls and make such bridges free. I feel sure the gentleman from Missouri, and others who are interested in this subject, will, upon careful consideration of these changes in the forms of bridge franchises, and these additional safeguards of the public interests, not feel justified in objecting to the consideration of such bills by the House, but will be willing to let them be submitted to the House for such consideration as the House wishes to give them.



## DECLARATIONS OF INTENTION IN NATURALIZATION PROCEEDINGS

The next business on the Consent Calendar was the bill (H. R. 16440) relating to declarations of intention in naturalization proceedings.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the first subdivision of section 4 of the act entitled "An act to establish a Bureau of Immigration and Naturalization and provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, is amended to read as follows:

"First. He shall declare on oath before the clerk of any court authorized by this act to naturalize aliens, or his authorized deputy, in the district in which such alien resides, two years at least prior to his admission, and after he has reached the age of 18 years, that it is bona fide his intention to become a citizen of the United States and to reside permanently therein, and that he will, before being admitted to citizenship, renounce forever all allegiance and fidelity to any foreign prince, potentate, State, or sovereignty, and particularly, by name, to the prince, potentate, State, or sovereignty of which the alien may be at the time of admission a citizen or subject. Such declaration shall set forth the name, age, occupation, personal description, place of birth, last foreign residence, the date of arrival, the name of the vessel, if any, in which he came to the United States, and the present place of residence in the United States of said alien."

SEC. 2. Section 1 of this act shall take effect 60 days after its enactment. A declaration of intention made before the expiration of such 60-day period, whether before or after the enactment of this act, in which appears an erroneous statement of allegiance, shall not be held invalid for such cause if the error was due to a change of political boundaries, or the creation of new countries, or the transfer of territory from one country to another. Nothing in this section shall permit the reinstatement of a petition for naturalization dismissed for such cause, but in such a case the benefits of this section may be obtained by filing a new petition before the expiration of the period of validity of the declaration of intention.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

## BRIDGE ACROSS SANDUSKY BAY, SANDUSKY, OHIO

Mr. LAGUARDIA. Mr. Speaker, I have objected to a good many of these bridge bills. However, I now ask unanimous consent to call up the bill (H. R. 16208) authorizing the Cedar Point Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across Sandusky Bay at or near Sandusky, Ohio, a bill introduced by our charming colleague from Ohio [Mr. BEGG], who is about to leave us, and who is anxious to have this bill passed. It is an emergency measure.

The SPEAKER. The gentleman states that it is an emergency that is involved?

Mr. LAGUARDIA. So I understand.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Cedar Point Bridge Co., a corporation organized under the laws of Ohio, of Sandusky, Erie County, Ohio, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Sandusky Bay, at a point suitable to the interests of navigation, at or near a point on what is known as Big Island on the southerly shore of Sandusky Bay in the city of Sandusky, Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Ohio, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensa-

tion to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion cost not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of Ohio, or by any municipality or other political subdivision or public agency thereof under the provisions of section 2 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The Cedar Point Bridge Co., its successors and assigns shall within 90 days after the completion of such bridge, file with the Secretary of War and with the Highway Department of the State of Ohio a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and at the request of the Highway Department of the State of Ohio shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Cedar Point Bridge Co., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Cedar Point Bridge Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

## With the following committee amendments:

Page 1, line 9, after the word "across," insert "the southeast arm." Page 2, line 1, after the word "navigation," strike out "at or near a point on what is known as Big Island on the southerly shore of Sandusky Bay in the city of Sandusky, Ohio, in accordance with the provisions of the act," and insert: "from a point on the southerly shore of Sandusky Bay at or near C Street, Sandusky, to a point on what is known as Cedar Point Peninsula, on the northeasterly shore of Sandusky Bay, Ohio, in accordance with the provisions of the act."

Page 5, insert a new section, as follows:

"SEC. 6. All contracts made in connection with the construction of the bridge authorized by this act and which shall involve the expenditure of more than \$5,000 shall be let by competitive bidding. Such contracts shall be advertised for a reasonable time in some newspaper of general circulation published in the State in which the bridge is located and in the vicinity thereof; sealed bids shall be required and the contracts shall be awarded to the lowest responsible bidder. Verified copies or abstracts of all bids received and of the bid or bids accepted shall be promptly furnished to the highway department of the State in which such bridge is located. A failure to comply in good faith with the provisions of this section shall render null and void any contract made in violation thereof, and the Secretary of War may, after hearings, order the suspension of all work upon such bridge until the provisions of this section shall have been fully complied with."

Page 6, line 7, strike out the figure "6" and insert the figure "7."

The SPEAKER. The question is on agreeing to the committee amendments.

Mr. DENISON. Mr. Speaker, I have some amendments to perfect the committee amendments, which I offer.

Page 2 of the bill, line 5, after the word "Day," in the committee amendment, strike out the words "at or near C Street" and insert in lieu thereof the words "in the city of."

The Clerk reported the amendment.

The SPEAKER. The question is on agreeing to the amendment to the committee amendments.

The amendment to the committee amendment was agreed to.

Mr. DENISON. Mr. Speaker, also the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 5, after the word "Sandusky," in the committee amendment, insert the word "Ohio."

The SPEAKER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

Mr. DENISON. Mr. Speaker, I move that all the committee amendments be agreed to with the exception of the amendment on page 5 inserting a new section, section 6.

The SPEAKER. The Chair will put the question on all the amendments except the amendment referred to.

The question is on agreeing to the committee amendments as amended.

The committee amendments as amended were agreed to.

The SPEAKER. The question now is on agreeing to the amendment on page 5, inserting a new section.

The amendment was rejected.

Mr. DENISON. Mr. Speaker, I ask unanimous consent that section 7 be changed to read "section 6."

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended to read: "A bill authorizing the Cedar Point Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the southeast arm of Sandusky Bay at or near Sandusky, Ohio."

#### IMPROVEMENT AND PRESERVATION OF LINCOLN NATIONAL PARK OR RESERVATION

Mr. MORIN. Mr. Speaker, I move to suspend the rules, take up the bill H. R. 15657, and pass the bill with committee amendments.

The SPEAKER. The gentleman from Pennsylvania moves to suspend the rules and pass as amended the bill H. R. 15657. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 15657) to provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or Reservation.

Mr. CRAMTON. Mr. Speaker, if we have time for this kind of a bill, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Michigan makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 20]

Aldrich	Chindblom	Gifford	Kunz
Anthony	Clague	Gilbert	Lampert
Auf der Heide	Cole, Md.	Goldsborough	Langley
Bacon	Collier	Goodwin	Leatherwood
Beck, Pa.	Combs	Graham	Leech
Berger	Connolly, Pa.	Griest	Lindsay
Black, N. Y.	Cox	Hammer	Lozier
Bohn	Crisp	Hare	Lyon
Boles	Crowther	Harrison	McClintic
Bowles	Cullen	Hawley	Maas
Boylan	Curry	Hogg	Major, Ill.
Brand, Ga.	Davey	Howard, Okla.	Mooney
Brand, Ohio	Dempsey	Hudspeth	Moore, N. J.
Britten	Dickstein	Hughes	Murphy
Buckbee	Doutrich	Hull, Tenn.	Nelson, Wis.
Burdick	Doyle	Igoe	O'Connor, N. Y.
Busby	Eaton	Jacobstein	Oliver, N. Y.
Bushong	England	James	Palmer
Canfield	Estep	Jeffers	Palmisano
Carew	Fenn	Johnson, S. Dak.	Parks
Carley	Fletcher	Kearns	Porter
Cartwright	Fulbright	Kent	Pou
Casey	Furlow	Kindred	Pratt
Celler	Garner, Tex.	King	Quayle

Ragon  
Rainey  
Ramseyer  
Ransley  
Reed, Ark.  
Reed, N. Y.  
Reid, Ill.  
Rutherford  
Shallenberger  
Sirovich  
Somers  
Stalker  
Stedman  
Strother  
Sullivan  
Sumners, Tex.  
Swing  
Tatgenhorst

Taylor, Tenn.  
Thompson  
Tillman  
Treadway  
Underwood  
Updike  
Vincent, Iowa  
Warren  
Weller

White, Colo.  
White, Kans.  
Williamson  
Willson, La.  
Wilson, Miss.  
Woodruff

The SPEAKER. Three hundred and one Members are present, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The Clerk will continue the reading of the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That for the purpose of protecting from disintegration and of improving, beautifying, and preserving the Abraham Lincoln National Park or Reservation established under the act entitled "An act to accept a deed or gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further to accept an assignment or transfer of an endowment fund of \$50,000 in relation thereto," approved July 17, 1916 (U. S. C. title 16, secs. 211-214), the Secretary of War is authorized and directed to provide for (1) the improvement of such existing roadways, walks, and buildings in such park or reservation; and (2) the planting of such trees, plants, and shrubbery; the construction of such additional roadways, walks, and buildings, and of such fences, parking spaces, drainage structures, culverts, and bridges; and the making of such other improvements, as in his judgment may be necessary for the preservation, beautification, and protection from disintegration of such park or reservation, including the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, and which may serve to render such park or reservation convenient for the appropriate use and enjoyment by the public.

Sec. 2. There is authorized to be appropriated the sum of \$100,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this act; and authorization is also hereby given for such appropriations as may, in the future, be deemed necessary for the proper protection, preservation, care, maintenance, and operation of the said national park or reservation, including the salaries and compensation of a superintendent and other needed employees.

The SPEAKER. Is a second demanded?

Mr. CRAMTON. I demand a second.

Mr. MORIN. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MORIN. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. THATCHER].

Mr. THATCHER. Mr. Speaker and Members of the House, in a few days we will celebrate in this country, and there will be celebrated throughout the civilized world, the one hundred and twentieth anniversary of the birth of one of the great spirits of this Nation. Down in Larue County, Ky., in what in February, 1809, was Hardin County, Ky., there was born Abraham Lincoln—born under conditions as humble, perhaps, as those which surrounded the birth of the Man of Sorrows. Here [exhibiting it] is a picture of the log cabin in which he was born. In the course of years, culminating in 1907, Robert J. Collier and other public-spirited people in this country, made up a private subscription fund, about \$250,000 net—over \$300,000 in all—for the purpose of purchasing the old Lincoln farm and building on this sacred spot an enduring memorial to this great man. The farm of his birth, 110½ acres, once owned by Thomas Lincoln, the father, was purchased by the Lincoln Farm Association, of which former Gov. Joseph W. Folk, of Missouri, was president. In 1916, during the administration of President Wilson, there was enacted by the Congress a bill or measure authorizing the acceptance, free of cost, by the United States, of this land and this memorial structure housing this log cabin, to be preserved through all the future; preserved for the benefit and enjoyment of all of our people, without cost or charge to them in the way of fees for the right to view this memorial, this farm, and this little cabin. Here [exhibiting it] is a picture of the memorial hall, a beautiful marble structure costing something like \$250,000.

Mr. MILLER. Will the gentleman inform us as to the amount of land?

Mr. THATCHER. One hundred and ten and one-half acres. At the same time the Lincoln Memorial Association conveyed, by assignment, to the Government of the United States \$50,000 in gilt-edged securities as an endowment fund, so that the interest or income derived therefrom might go toward the main-



tenance of this farm and this memorial, and toward the preservation from disintegration of this log cabin.

Mr. GARBBER. Will the gentleman yield for a short question?

Mr. THATCHER. I will.

Mr. GARBBER. Has it adequate highway communications to and from the place?

Mr. THATCHER. There is the Jackson Highway, a Federal aid project, running north and south through the farm, but there is no adequate approach to the memorial itself. Now, the Congress in 1916, by the act of July 17 of that year, placed all of this property under the administrative supervision of the Secretary of War.

The Secretary of War in the past has construed the law, as we understand it, as not being sufficiently broad to authorize the expenditure of the money necessary to construct the needed approach road and the other necessary improvements, and to take care of the property as it needs to be taken care of, with the result that during these 13 years that it has been under governmental control and ownership, with only the \$2,000 of income being expended for caretaking, the farm has been growing up in bushes and briars, gullies are being washed, and the plaza in front of this marble memorial is at times covered with silt and mud to a depth of several inches. Also, the little spring where Lincoln as a boy drank, and which was the water supply of the Lincoln household, is being fouled and flooded in the rainy seasons. There are on the farm no adequate roads nor any parking spaces, and no conveniences have been provided for the visiting public. Yet, this is one of the greatest shrines in the country, and the Government of the United States, having taken over this property, is under, at least, a moral obligation to provide for its maintenance.

Mr. VINSON of Kentucky. Mr. Speaker, will the gentleman yield there?

Mr. THATCHER. Yes.

Mr. VINSON of Kentucky. What money has the Federal Government expended on this property to date?

Mr. THATCHER. No money, except the \$2,000 a year; and two years ago there was appropriated \$5,000 for work on the approach road; but it has been inadequate.

Mr. VINSON of Kentucky. The \$2,000 was interest on the trust fund. No Federal money has been expended?

Mr. THATCHER. No; except a portion of the \$5,000.

Mr. MOORMAN. Mr. Speaker, will the gentleman yield?

Mr. THATCHER. Certainly.

Mr. MOORMAN. The \$5,000 which the gentleman referred to has not yet been all expended?

Mr. THATCHER. Only a portion of it.

A few months ago the Quartermaster General had a survey made of this whole situation, which, I say in all candor to this House, is a national disgrace because of the conditions that prevail there. The Quartermaster General in his survey found various needs to be taken care of in the way of roads, in the way of rest houses and comfort stations. And yet this is one of the great national shrines of America.

Mr. WURZBACH. Mr. Speaker, will the gentleman yield?

Mr. THATCHER. Yes.

Mr. WURZBACH. Has any suggestion been made or any estimate made by the Budget Bureau?

Mr. THATCHER. Some weeks ago the Secretary of War submitted a request for something more than \$80,000 for needed improvements, but no action has been taken on that request. I have talked with the Director of the Budget, and he thinks there ought to be a basic measure or an authorization passed to take care of this situation.

The purpose of this bill is to give to Congress a clear-cut authority to make the appropriation. This bill so provides. If it becomes a law there must be submitted through the regular channels, under our Budget system, an estimate of the War Department, emanating from the Quartermaster General. That is because that is where the administrative care of this property now resides—with the Quartermaster General.

Mr. MOORMAN. As to roads, will you kindly explain the condition within the grounds?

Mr. THATCHER. From the Jackson Highway to the Lincoln Memorial there is a little approach road, in bad condition, about 8 feet wide. Now, remember, this is one of the greatest places in the country where people want to go, and yet they can not go under the present unfavorable conditions which there obtain.

Mr. MOORMAN. Is it not a fact that a visiting party tried to get in not long ago and could not get in on account of the road?

Mr. THATCHER. Yes. That is the fact.

Mr. MOORMAN. And thousands of people desire to visit that place?

Mr. THATCHER. Yes. It is true that thousands of the American people desire to visit that place. If there is any spot where people can draw the lessons and inspirations of patriotism, it is there at the Lincoln farm.

Mr. MOORMAN. Is it not a further fact that the Government, by having taken this property over, has prevented the Lincoln Memorial Association from functioning as a private institution to meet the situation?

Mr. THATCHER. Exactly. This property was deeded to the Government of the United States together with an endowment fund of \$50,000; and President Wilson and the Secretary of War, Newton D. Baker, as appears of record in the House Committee on Military Affairs, by which committee this bill was unanimously reported, set forth the conditions of acceptance in a formal instrument executed by them on August 18, 1916.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. MORIN. Mr. Speaker, I yield to the gentleman one minute more.

Mr. THATCHER. Now the statement is made that under basic law we have the authority to make the needed appropriation. Whether that be true or not, we are not getting the appropriation; the appropriation is not being made, and an estimate has not been submitted by the Budget Bureau. I am not criticizing the Budget Bureau; but the enactment of this measure will place beyond peradventure, the right, on the part of Congress, to make these appropriations.

Mr. MOORMAN. Is it not a fact that the Government now has this \$300,000 property?

Mr. THATCHER. Yes. It was the idea that the Government would preserve and care for it. What we want to do is to make the situation clear, so that there will be no question on the part of the Secretary of War, or on the part of the Director of the Budget of the right to recommend the required appropriations. [Applause and cries of "vote!"]

Mr. Speaker, the proposed legislation is of an emergency character. For nearly 13 years the United States has held the ownership and exercised control of this property. It appears that through all this period the War Department has been under the impression that it was limited in funds for maintenance and improvement purposes to the interest or income on the \$50,000 endowment fund to which I have already referred. During all these years, so far as I am advised, the War Department has not submitted to Congress, or to the Budget, until recently, any estimate of funds needed in the way of appropriations for any of these improvements. This nonaction appears to have been based upon the suggestion I have just indicated—namely, that War Department officials were under the impression that additional funds could not be appropriated except under some further legislative authority therefor.

The pending bill was introduced after its proponents had conferred with War Department officials, and it was not pressed until inquiry had been made of the Budget officials in relation to the subject. A month ago or more the Secretary of War finally submitted to the Bureau of the Budget an estimate for \$80,000 for the indicated improvements; but this estimate has not been submitted by the Bureau of the Budget to Congress, and my information is that the Budget officers believe that further legislative authorization is required upon which to base the proposed expenditures for these greatly needed improvements.

The act of 1916 contains no specific provisions authorizing the making of appropriations for any purpose. The pending measure contains the necessary appropriation authorizations for all needed purposes.

The House Committee on Military Affairs unanimously reported in favor of the enactment of this bill, and an identical bill introduced in the Senate (S. 5228) received the like favorable report by the Military Affairs Committee of the Senate. Under leave given me I herewith include as a part of my remarks on the pending measure a copy of the letter written by the Secretary of War to the chairman of the Military Affairs Committee of the Senate giving approval of this measure, and indicating that it had been submitted to the Director of the Bureau of the Budget, who advised "that same is not in conflict with the financial program of the President." Also, under the leave thus given me, I include as a part of what I have to say on this subject certain extracts from the hearings before the House Military Affairs Committee, and from that committee's report, on the pending bill. The letter from the Secretary of War to the chairman of the Senate Committee on Military Affairs was dated January 21, 1929, and is as follows:

WAR DEPARTMENT,  
Washington, January 21, 1929.

Hon. D. A. REED,

*Chairman Committee on Military Affairs, United States Senate.*

DEAR SENATOR REED: In compliance with your request of January 16, 1929, I am pleased to submit the following report on S. 5228:

The subject of the proposed legislation is "To provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or Reservation."

The applicable provision of existing law is an act approved July 17, 1916 (39 Stat. 385), which provides for the acceptance of a deed of gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and, further, to accept an assignment or transfer of an endowment fund of \$50,000 in relation thereto.

Under the provisions of the act approved July 17, 1916, the Government, under an agreement entered into August 18, 1916, took over the birthplace of Abraham Lincoln near Hodgenville, Ky., comprising a 110-acre farm, together with the improvements made thereon, and including a \$200,000 marble memorial which was constructed to inclose the log cabin in which Lincoln was born; also a trust fund of \$46,000 invested in bonds.

Since the time the Lincoln farm and memorial were taken over by the Government in 1916 the interest on the trust fund, which amounts at present to \$2,040 per annum, has been expended in the maintenance and upkeep of the farm and memorial, and with the exception of \$5,000, which was appropriated for expenditure during the current fiscal year, no other Government funds have been used for the maintenance and upkeep of this reservation. During the past year a study and investigation of the existing conditions and needed improvements was made, which shows that the farm and memorial are in a badly run-down condition and that approximately the amount of money authorized to be appropriated by the proposed bill will be needed to place them in a condition commensurate with their importance as a national shrine. These improvements can not be made until Congress has authorized the necessary appropriations.

In order that the Lincoln Farm and Memorial may be fittingly maintained, it is necessary that a sum in excess of the interest on the trust fund be expended annually for its maintenance and upkeep. It is, therefore, recommended that S. 5228 be amended as follows:

"Page 2, line 22, after the words 'provisions of' and before the words 'this act,' insert the language, 'section 1 of,' and in the same line, on the said page 2, after the words 'this act,' strike out the period and insert in its stead a semicolon and add the following language: 'and authorization is also hereby given for such appropriations as may in the future be deemed necessary for the proper protection, preservation, care, maintenance, and operation of the said national park or reservation, including the salaries and compensation of a superintendent and other needed employees.'"

As thus amended the bill meets the approval of the War Department.

If any additional information from the War Department is desired, I shall be pleased to furnish it.

If the Committee on Military Affairs wishes to have hearings upon the proposed legislation, the following-named officer is designated to appear before your committee: Col. William R. Gibson, Quartermaster Corps.

The proposed legislation has been submitted to the Director of the Bureau of the Budget, who advises that same is not in conflict with the financial program of the President.

Sincerely yours,

DWIGHT F. DAVIS,  
*Secretary of War.*

Mr. Speaker, to use the apt phrase, "We are confronted with a condition and not a theory." In this matter we are operating under the Budget system. If it is impossible to secure the submission through regular channels of estimates for the needed appropriations under existing law, then there is no alternative but to broaden the basic act by this proposed legislation. If this bill is enacted, we have every reason to believe that there will be submitted to Congress the necessary requests and estimates for the appropriations which must be made in order that these improvements may be made. This bill confers upon Congress specific authority to make appropriations for the detailed needs at present involved, and section 2 also authorizes all needed appropriations for the future. The bill in its entirety, as amended by the House and Senate committees and as approved by the Secretary of War, follows:

A bill (H. R. 15657) to provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or Reservation

*Be it enacted, etc.,* That for the purpose of protecting from disintegration and of improving, beautifying, and preserving the Abraham Lincoln

National Park or Reservation established under the act entitled "An act to accept a deed or gift or conveyance from the Lincoln Farm Association, a corporation, to the United States of America, of land near the town of Hodgenville, county of Larue, State of Kentucky, embracing the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same; and further to accept an assignment or transfer of an endowment fund of \$50,000 in relation thereto," approved July 17, 1916 (U. S. C. title 16, secs. 211-214), the Secretary of War is authorized and directed to provide for (1) the improvement of such existing roadways, walks, and buildings in such park or reservation; and (2) the planting of such trees, plants, and shrubbery; the construction of such additional roadways, walks, and buildings, and of such fences, parking spaces, drainage structures, culverts, and bridges; and the making of such other improvements, as in his judgment may be necessary for the preservation, beautification, and protection from disintegration of such park or reservation, including the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, and which may serve to render such park or reservation convenient for the appropriate use and enjoyment by the public.

SEC. 2. There is authorized to be appropriated the sum of \$100,000, or so much thereof as may be necessary, to carry out the provisions of section 1 of this act; and authorization is also hereby given for such appropriations as may, in the future, be deemed necessary for the proper protection, preservation, care, maintenance, and operation of the said national park or reservation, including the salaries and compensation of a superintendent and other needed employees.

There appeared before the House committee at the hearings on this measure Col. W. R. Gibson, of the Administrative Service of the Quartermaster's Department, and he testified touching the funds needed for the indicated improvements, as carried in this bill, and from the hearings his testimony is quoted, as follows:

STATEMENT OF COL. W. R. GIBSON, OF THE ADMINISTRATIVE SERVICE IN THE QUARTERMASTER GENERAL'S OFFICE

Colonel GIBSON. Those are the estimates.

Mr. THATCHER. And they show that something between eighty and one hundred thousand dollars would be reasonably required to put this property in suitable condition, including roads, parking places, and things of that sort.

Colonel GIBSON. Yes, sir. That report was prepared under the direction of the commanding officer, Jeffersonville Quartermaster Depot, Jeffersonville, Ind., who has administrative control of the Lincoln farm. A great many reports had been received in the office of the Quartermaster General regarding the unsatisfactory condition of this farm, and in order that proper action could be taken to remedy these conditions the Quartermaster General directed the commanding officer of the Jeffersonville Quartermaster Depot to make a detailed survey of the conditions and to submit a complete report.

Prior to the present fiscal year, the Government has spent no money on the farm, other than the interest on the trust funds which amounts to approximately \$2,040 per year. This amount has proved to be entirely insufficient, with the result that the roads, grounds, buildings, and fences have deteriorated. The entire farm is in a run-down condition and can not be placed in the condition which it merits as a national shrine without the expenditure of a considerable sum of money.

The amount asked for in the report is, in my opinion, the minimum required for improvements. This would enable us to rebuild and extend the road leading from the Jackson Highway to the memorial building, provide suitable parking space, build a comfort station and rest room, repair buildings on the farm, rebuild fences and definitely mark the boundary lines, plant trees, and landscape the farm, provide suitable drainage, which is a difficult problem, and make other needed improvements. When the farm is placed in first-class condition it can be suitably maintained from small annual appropriations.

I quote the following from the favorable report of the House Committee on Military Affairs:

#### PURPOSES OF THE BILL

A full hearing was accorded to the proponents of the measure, at which appeared Representative THATCHER, of Kentucky, author of the bill, and Representative MOORMAN, also of Kentucky, and in whose district the indicated property is located. In addition, a representative of the United States Quartermaster Department, Col. W. R. Gibson, chief of the administrative service of that department, upon request, appeared and verified estimates of cost of required improvements and work covered by the proposed \$100,000 authorization.

The purpose of this legislation is (1) to authorize the sum of \$100,000, or so much thereof as may be necessary, for the necessary improvement of the Lincoln farm property in Larue County, Ky., whereon Abraham Lincoln was born, and now formally known as the Abraham Lincoln National Park or Reservation, in order that the same may now be put into proper condition for its protection and preservation and rendered available for the use and enjoyment by the public, and (2) to authorize



such general appropriations as may in the future be deemed necessary for the proper protection, preservation, care, maintenance, and operation of this property. The farm consists of about 110½ acres.

#### HISTORY OF LINCOLN FARM

As already indicated, upon this tract of land and in a little log cabin yet preserved in the memorial building thereon, then in Hardin County, and now in Larue County, Ky., Abraham Lincoln was born. It was from this farm that Thomas Lincoln, the father, removed to southern Indiana, taking with him his family, including the child who in the course of years was destined to achieve immortal distinction. After a long period, and about the year 1906, this little plot of broken land was acquired by the Lincoln Farm Association—of which Robert J. Collier, the well-known publisher, was the leading spirit—a private corporation organized for the purpose of acquiring this property and building thereon a suitable memorial to the memory of Lincoln.

In addition, the association solicited and received popular subscriptions throughout the country for the purpose of constructing such memorial, with the result that the net sum of something like \$250,000 was collected. Of this total about \$200,000 was expended in the construction of a beautiful memorial hall or building of marble, and the balance, about \$50,000, was invested in securities to constitute a fund, the income from which should be devoted to the preservation and maintenance of the property. In this memorial hall there was then placed, there to be permanently kept and preserved, the little old log cabin in which the great emancipator was born, and there it is to-day.

#### ENABLING ACT

In the year 1916, during the first administration of President Wilson, there was enacted by Congress the act of July 17, 1916 (ch. 247, 30 Stat. 386; U. S. C. title 16, secs. 211–214), authorizing and confirming acceptance by the United States of America of the title to this land, together with all buildings and appurtenances thereon, and “especially the log cabin in which Abraham Lincoln was born, and the memorial hall inclosing the same,” described in the deed of conveyance executed on the 11th day of April, 1916, by the Lincoln Farm Association to the United States of America. The act also, by its further terms, declared and confirmed the acceptance by the United States of the \$50,000 endowment already referred to. Section 1 of the act provides that—

“The title to such lands, buildings, and appurtenances is accepted upon the terms and conditions stated in said deed or conveyance, namely: That the land therein described, together with the buildings and appurtenances thereon, shall be forever dedicated to the purposes of a national park or reservation, the United States of America agreeing to protect and preserve the said lands, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, so far as may be; and further agreeing that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation.”

Section 2 of the act provides that—

“The title to said endowment fund is accepted upon the terms and conditions stated in said assignment and transfer, namely, that the United States of America shall forever keep the said tract of land described in said deed, together with the buildings and appurtenances thereunto belonging, dedicated to the purpose of a national park or reservation, and that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation; and, further, shall forever protect, preserve, and maintain said land, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, as far as may be, as a national park or reservation.”

For obvious reasons Congress, the executive branch of the Government, and those in charge of the affairs of the Lincoln Farm Association believed that upon the construction of the memorial hall and the housing therein of the Lincoln cabin, the same, together with the original Lincoln farm, should pass into the hands of the United States Government, to be forever preserved and maintained as a great historical and patriotic shrine for the use, enjoyment, and inspirational benefit of all the people.

#### A GIFT TO THE GOVERNMENT

Thus this property, which had cost about \$250,000, came into the hands of the United States Government without cost to it. The whole was a gift to the Government made upon the solemn compact and agreement that the United States would dedicate the property as a national park or reservation, free for public use and enjoyment, and should forever protect, preserve, and maintain the same as indicated in the language of the enabling act, already quoted.

In the printed hearings on this bill will be found the deed conveying the Lincoln farm and structures to the United States; the instrument transferring to the United States the trust or endowment fund named

in the act; and the formal instrument of acceptance in behalf of the United States, executed by President Wilson and Secretary of War Newton D. Baker, for all of this property, agreeably to the terms of said act. Special reference is here made to section 3, authorizing the execution of such instrument, and to section 4, placing the property under the control and administration of the Secretary of War; and under whose control and administration the property has since remained.

#### NEED FOR THE PROPOSED AUTHORIZATION

It appears that the Secretary of War has expended no funds in the improvement, preservation, and maintenance of the property beyond those received as interest or income on the securities making up the trust or endowment fund already mentioned; this income is about \$2,000 a year, and has proven absolutely inadequate not only for the preservation, maintenance, and protection of this property, but also for its greatly needed improvement; and Congress has made no appropriation therefor. Hence, there having been transferred to the United States of America all of this property, and having been accepted by the United States under the solemn compact or agreement, as set forth in the act of Congress, and the instrument executed in conformity therewith, forever to preserve and maintain for the use and benefit of the public as a national park or reservation the Lincoln farm and structures thereon, the United States Government will be most derelict if it fails to carry out its agreement.

Because funds for substantial protection and improvement of the property have not been provided, the grounds have fallen into a state of dangerous deterioration. Not only this but there have never been provided proper roads, parking spaces, drainage facilities, fencing, rest houses, plantings, and the like, necessary to put the property in the condition in which it should be placed and maintained.

At present, as fully set forth in the hearings, the grounds around the memorial building and the old Lincoln spring are periodically flooded by rains and become veritable swamps; there is no adequate roadway approach to the memorial from the Jackson Highway, a greatly traveled north and south public thoroughfare, and Federal-aid project, which runs through the Lincoln farm.

There should be a better approach to the memorial constructed, and also adequate parking spaces. In addition, means for proper draining of the property should be provided; and the fencing and planting of trees and shrubs in certain sections of the farm, to protect and beautify it, should be made. At present, portions of the farm are being washed into deep gullies, and these contribute not only to the unkempt and unsightly appearance of the grounds, but also add to the general deterioration of the property. Last year, under direction of the Quartermaster's Department, a careful survey was made of the conditions on the Lincoln farm, and a formal report was submitted to the Quartermaster General showing the pressing needs in the matter of improvement and preservation of this property. The detailed estimate submitted with that report shows that it will cost not less than \$80,101.97 to put the property in proper condition. This detailed estimate appears in the printed hearings on the bill. Some of the major items of the estimate follow:

For fencing, \$2,000; for reconstruction of present approach road, \$11,410.30; for continuation of present approach road around the rear of memorial building to old log house on the farm, \$28,000; for filling in gullies and erosions, \$1,050; for installation of tile, etc., for drainage purposes, \$950; for construction of 14,000 square feet of parking area near the memorial, \$15,609.27; for replacement of present gravel on landings in steps to memorial building and walks around building with brick, \$1,797.40; for construction of rest rooms, septic tank, sewage disposal, and connection to water supply, \$12,000; for installation of new pumping unit, cleaning out the old well, and renovating old water tank, \$800; for additional labor needed for care of property, \$1,860. Other items of a minor nature make up the difference involved in the total above referred to. Also in the hearings will be found other extracts from the report of the Quartermaster's Department, referred to, touching the urgent needs involved, and much other valuable information, including a brief history of the Lincoln cabin now preserved in the memorial.

The amount received in annual income on the investment fund pays something in the way of compensation to the caretaker and some part-time help, but, of course, does not afford any margin for substantial improvements on the property.

Recently the Secretary of War submitted to the Bureau of the Budget a recommendation for an appropriation for the above-named sum, \$80,101.97, for the indicated purposes; but the Budget officers have indicated their judgment that in order to provide an appropriation for these improvements it will be necessary for a bill authorizing such appropriation to be enacted. Hence, the present measure was introduced to provide this authorization, and also to authorize in the future such further appropriations as may be deemed necessary for the proper care, preservation, maintenance, and operation of this property. A committee amendment to section 2 was adopted after conference by Representative THATCHER with Budget and War Department officials. This

amendment, if adopted, will authorize such future appropriations as may be required for the purpose just indicated. Any such appropriations will be in addition to the annual income which will be received from the investment fund, and that income will, of course, reduce by its amount the total of such appropriations, which in the future may be thus required.

Since the estimates of the Quartermaster's Department indicate that something more than \$80,000 is needed for the purpose of placing the property in condition to be properly preserved and to be properly used and enjoyed by the general public—as was contemplated by Congress and the executive branch of the Government when the property was taken over by the Government—the pending bill carries an authorization for present improvement purposes of \$100,000, or so much thereof as may be necessary. If the bill becomes a law, estimates and justification for the needed improvements will have to be submitted through regular channels and appropriations made by Congress upon the usual hearings obtaining in such matters. All these proposed improvements will be on the Lincoln farm or reservation, and none outside of it.

Under the intolerable conditions which obtain at present the general public can not have proper access to this historic spot, nor the simplest conveniences when visiting it. Because of the lack of proper roadways and parking spaces, visitors at certain seasons must trudge through mud and slush in order to visit the memorial and to see therein the Lincoln cabin; and also when visiting the memorial in any numbers they are unable to find parking space for their cars and are subjected to every form of inconvenience.

The committee deems it unnecessary to argue further the merits of the proposed measure. The obligation of the United States Government is of the most sacred character and should be discharged. This property is going to rack and ruin because there have not been made the necessary improvements for its care and preservation, and because of the impossible physical conditions obtaining the people are being denied the right to visit this great shrine and to receive the inspirational value of such contact.

Under the circumstances involved any continued failure to make the necessary improvements and to render this historic site fully available for the use and enjoyment of our people would, in the committee's judgment, be considered as nothing less than a national disgrace. Definite and adequate action should be at once taken.

The indicated improvements should be made, and made without further delay, and the property put in suitable condition, and thus maintained, so that the purposes and intent of Congress in the act of acceptance, and the purposes and intent of the donors of the property and of the executive branch of the Government may be carried out.

Certainly, Mr. Speaker, if the appropriations could be secured without the necessity of further legislation, such result would have been greatly preferred, for the time and effort necessary to secure this enactment would have been avoided. The proponents of this bill, however, knowing the needs involved—as the officials of the War Department also know them—and finding it impossible to secure the submission to Congress, under existing law, of the required estimates, and after conferences with the various executive officers who must deal with the subject, have proposed this bill and have asked its enactment, feeling assured that if and when it shall become a law all these officials will agree that their right to ask for the needed funds will be of the most undoubted character, and will act accordingly.

In the absence of such enactment we can hardly hope to secure the necessary appropriations. Since between eighty and one hundred thousand dollars will be required to put this property in condition for preservation and public use, it is not to be hoped that in the absence of a Budget recommendation therefor an appropriation may be secured. Even if included in an appropriation bill, a point of order might be made against the item. Why not make the authority clear? For these reasons this bill should be enacted—and enacted without delay—so that there may come through the Bureau of the Budget the estimates for the required appropriations and the items included in the last deficiency bill of this session.

Mr. Speaker, this spot, this shrine, is of too sacred a character, and the obligation of the United States is of too solemn a nature, to permit of any further delay on the subject of the proper improvement and preservation of this property. Let us enact this bill into law, and the questions at issue will be forever settled and this holy place will be, for all time, rendered available for the use, enjoyment, and inspirational benefit of the people.

Mr. MORIN. Mr. Speaker, I yield four minutes to the gentleman from Kentucky [Mr. MOORMAN].

The SPEAKER. The gentleman from Kentucky is recognized for four minutes.

Mr. MOORMAN. Mr. Speaker and ladies and gentlemen of the House, I have the honor to represent the fourth district of Kentucky, from which Abraham Lincoln came. [Applause.] I

have an intimate knowledge of the situation that prevails at his birthplace. In my humble opinion, it is a disgrace to the name of the proud Nation that accepted the gift of \$300,000 of the money of the people of my State and the Nation. That \$300,000 was largely contributed 10 cents and a quarter of a dollar at a time by the school children and citizens, and the Lincoln Memorial Association came here and made a sacred contract with the United States by which the Government took over this property 13 years ago; and to-day the same conditions prevail there that prevailed then. I respectfully refer you to my speech delivered on January 17 for the details. The sacred contract made April 12, 1916, is to-day unfulfilled. It provided:

The title to such lands, buildings, and appurtenances is accepted upon the terms and conditions stated in said deed or conveyance, namely, that the land therein described, together with the buildings and appurtenances thereon, shall be forever dedicated to the purpose of national park or reservation, the United States of America agreeing to protect and preserve the said lands, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, so far as may be; and further agreeing that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation.

And, as to the endowment fund, said bill provided:

The title to said endowment fund is accepted upon the terms and conditions stated in said assignment and transfer, namely, that the United States of America shall forever keep the said tract of land described in said deed, together with the buildings and appurtenances thereunto belonging, dedicated to the purpose of a national park or reservation, and that there shall never be any charge or fee made to or asked from the public for admission to the said park or reservation; and, further, shall forever protect, preserve, and maintain said land, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same, from spoliation, destruction, and further disintegration, to the end that they may be preserved for all time, as far as may be, as a national park or reservation.

It was contemplated by the act in the minds of the contracting parties, that there would be all necessary repairs and future development. Section 3 specifically provides:

That the President of the United States of America and the Secretary of War are hereby authorized to execute, in the name of the United States of America, such instrument or instruments as may be or may become necessary to comply with or carry out the terms and conditions of such gift or gifts and to secure the full benefit therefrom.

I said:

The Lincoln Farm Association had collected together the essentials to create this national shrine. Congress accepted it and agreed to do such things as necessary "to secure full benefit therefrom." Otherwise the association would have continued to function by collecting more money by popular subscription, thereby maintaining and improving the place to meet present conditions.

At this time it is impossible for the thousands of people from America and other countries to come there and view that sacred spot with comfort or real pleasure. Recently 17 automobiles, carrying 40 people each, came there at one time. The road is only 10 or 12 feet wide, and those conveyances undertook to go down to that shrine, but they could not all get there. There was great confusion and discomfort, and there were comments which made us ashamed of ourselves. Deterioration, waste, and regret command one's attention. It is not the fault of Kentucky, and it is not the fault of those patriotic, liberty-loving people who made the gift to the Government. They turned over that sacred cabin, inclosed in a \$225,000 marble memorial building, 110 acres of land and appurtenances, and an endowment fund of \$50,000, making in all \$300,000, under the sacred promise that this shrine would be maintained in proper order and so as to get the maximum use of it from that day until now. What is the result? Thirteen years have elapsed and nothing has been done. Conditions have been and are growing worse each day. A mere pittance of \$5,000 was appropriated, and only about \$2,500 of that amount has ever been used. The War Department knew the sum was inadequate, as their report shows.

We made application to the Bureau of the Budget and to the War Department, under whose jurisdiction this comes, and they advised us to introduce a bill. We have now introduced a bill, and we are told that it is a mistake. I did not think it was necessary under the law, but the failure to act made it so.

I come here as one of that species that is now about to become extinct down in Kentucky, a Democratic Representative, and I respectfully implore you, regardless of your politics and re-



gardless of the side of the House on which you sit, to give this bill your support and help honor the name and memory of a man my district loves. [Applause.] This is no time nor place for eloquence, but our country must save its honor and keep its word.

Mr. BURTNESS. Will the gentleman yield?

Mr. MOORMAN. Yes.

Mr. BURTNESS. The situation the gentleman has disclosed is disgraceful, of course, and should be corrected, but there is one question which occurs to me.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. MORIN. Mr. Speaker, I yield the gentleman one-half minute additional.

Mr. BURTNESS. I notice that the bill provides not only for the building of fences, the improvement of roads, the construction of sanitary conveniences, providing parking spaces, and so forth, but also provides for beautifying the place by the planting of trees and shrubbery and making a park out of it. Now, it occurs to me that the general public would be more inspired by seeing the physical farm as it exists there, but properly protected. It seems to me they would rather see it substantially as it was at the time of the birth of Lincoln than to have it changed into a park.

Mr. MOORMAN. There will be a real old rail fence to protect this place. We are going to preserve the Lincoln farm and the buildings and appurtenances in such manner as to meet the ideas advanced by my interested colleague.

Mr. CRAMTON. Mr. Speaker, I have no idea that I will be able to secure the defeat of this bill, so great is the regard of every Member for the memory of Lincoln, but, as a matter of fact, that is not involved in this bill at all.

I have been much surprised to have recognition given for the consideration of this bill under suspension of the rules. There are so many bills of importance on the calendar that I had not supposed it would be easy to get recognition to bring up this bill, a bill which is absolutely unnecessary. It had not been reached on the Unanimous Consent Calendar until to-day. To-day was the first time it was called. When it was called I pointed out the law which authorizes these appropriations, just as much as the bill now pending authorizes them. In other words, the passage of this bill will add nothing in authority for appropriations for this very desirable purpose.

Mr. MOORMAN. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. MOORMAN. If the gentleman believes we already have that authority, how can it hurt to pass this bill?

Mr. CRAMTON. Why do we not spend our time here in passing a multitude of entirely useless bills when there are so many important measures awaiting consideration?

Any parliamentarian in the House will agree with me, I know, that the language I am about to read from the fundamental act authorizes appropriations for this purpose, and all the pending bill does is to authorize appropriations.

I will read from the fundamental act:

The United States accepts title to the lands mentioned in the deed of gift or conveyance now in the possession of the Secretary of War, together with all of the buildings and appurtenances thereon, especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same; \* \* \* that the land therein described in such deed or conveyance \* \* \* shall be forever dedicated to the purposes of a national park or reservation, the United States of America agreeing to protect and preserve the said lands, buildings, and appurtenances, and especially the log cabin in which Abraham Lincoln was born and the memorial hall inclosing the same from spoliation and destruction and further disintegration to the end that they may be preserved for all time. \* \* \* And further shall forever protect, preserve, and maintain said lands, buildings, and appurtenances, and especially the log cabin, \* \* \* to the end that they may be preserved for all time as far as may be as a national park or reservation.

Now, under our rules there are numerous precedents. It is not disputed by any parliamentarian that when we pass an act imposing a duty on a branch of the Government that act itself is basis for appropriations to carry out such responsibility. This act places on the Secretary of War this responsibility. It authorizes appropriations. The bill that is now being presented does not add anything whatever to that authority.

Mr. VINSON of Kentucky. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. VINSON of Kentucky. As I understand, a favorable recommendation could not be secured from the War Department, and the O. K. of the Budget could not be secured. Let us assume we would offer an amendment on the floor to the appropriation bill; I think I can hear the gentleman from Michigan saying that it did not have the O. K. of the Budget.

Mr. CRAMTON. The gentleman has no right to assume that, but I will say—

Mr. VINSON of Kentucky. I have heard the gentleman so many times say that.

Mr. CRAMTON. I will say this to the gentleman from Kentucky that if such an amendment was offered on the floor to the appropriation bill he would not hear the gentleman from Michigan make the point of order that it was not authorized by existing law, because I know it is authorized, and if the gentleman from Kentucky wants to bring that question up, why did not the gentleman from Kentucky [Mr. THATCHER] or the gentleman from Kentucky [Mr. MOORMAN], if they knew of these conditions—I did not know of them—offer an amendment to the War Department appropriation bill, and this House would have voted it, and the gentlemen would have had their money in the pending War Department appropriation bill.

Mr. THATCHER. Will the gentleman let me answer for myself, inasmuch as he called me by name? Because I know that of all men the gentleman would have been the first to interpose a technical objection. [Applause.]

Mr. CRAMTON. Well, now, Mr. Speaker, I will say this to the gentleman from Kentucky [Mr. THATCHER], that there is no one in this House who spends more time getting money out of the Treasury and less time in keeping it there than the gentleman from Kentucky. [Applause.] So I necessarily give the gentleman special attention, but I know the rules of the House, and if I had been interested in this proposition, I will say to the gentleman from Kentucky, as the gentleman professes to be, I would not have tried to get the limelight with a bill here with my name on it, but I would have offered an amendment to the War Department appropriation bill and would have had the money. [Applause.]

The SPEAKER. The question is, Shall the rules be suspended and the bill passed?

The question was taken; and on a division (demanded by Mr. SCHAFER) there were—ayes 230, noes 21.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

#### AMENDMENT OF FOREIGN SERVICE BUILDINGS ACT

Mr. PORTER. Mr. Speaker, I move to suspend the rules and pass as amended the bill (H. R. 15735) to amend the Foreign Service buildings act, 1926, as amended.

The SPEAKER. The gentleman from Pennsylvania moves to suspend the rules and pass the bill H. R. 15735 as amended. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Foreign Service buildings act, 1926, as amended (U. S. C. Supp. I, title 22, secs. 292-299; 45 Stat. L. p. 971), is amended by adding at the end thereof the following new sections:

"Sec. 9. At the request of the Foreign Service Buildings Commission, the President is authorized to detail such officers, warrant officers, and enlisted men of the Army and the Navy, as in his judgment may be necessary, to the Department of State for duty in connection with the exercise of functions under the provisions of this act, the number so detailed not to exceed 10 on any one project.

"Sec. 10. During the period of such detail any such officer, warrant officer, or enlisted man shall receive the pay and allowances of his respective rank or rating, and the period of such detail shall be counted in computing longevity and retirement, in the same manner and to the same extent as if such officer, warrant officer, or enlisted man was serving with the military or naval forces.

"Sec. 11. Notwithstanding any other provision of law, any officer, warrant officer, or enlisted man detailed for duty under this act shall be entitled to receive rental allowances while serving outside the continental limits of the United States, whether or not public quarters are available and occupied by any such officer, warrant officer, or enlisted man."

The SPEAKER. Is a second demanded?

Mr. LA GUARDIA. Mr. Speaker, I demand a second.

Mr. PORTER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PORTER. Mr. Speaker, the pending bill gives to the Secretary of State, under the direction of the Foreign Service Buildings Commission, authority to secure the services of officers of the Army and the Navy to superintend the construction of embassies, legations, and consulates in various parts of the world.

The Foreign Service Buildings Commission consists of the Secretaries of State, Treasury, and Commerce, the chairman and ranking minority member of the Committee on Foreign

Relations of the Senate and the chairman and ranking minority member of the Committee on Foreign Affairs of the House.

We are ready to begin construction in a number of places throughout the world and the problem of proper supervision of the work, which is vital to securing a proper return for the money of the Government, is a matter of very great importance. It is customary to superintend work of this kind everywhere. The duty is usually performed by the architect. But in many of these places, some of them quite inaccessible, it would be impossible to have this work properly done unless we are certain that it will be superintended by men from the Government service.

The commission, therefore, reached the conclusion that the safe thing to do was to secure this authorization to detail Army engineers, or in some instances engineers of the Navy, as superintendents. It is especially necessary because the work is largely reinforced concrete, and it is absolutely necessary to put the proper ingredients into the mixture.

Take, for instance, Calcutta, the plans are about ready for an office building and apartment. It is an emergency case, as many are. For instance, last year the turnover in the commercial service was over 100 per cent on account of ill health. The buildings will be concrete.

There is another provision in the bill which follows the policy of Congress in regard to the river and harbor improvements in cases where it will be impossible to secure competent contractors. Take for instance Tegucigalpa, Honduras. I have in mind another city where there is only one contractor. The commission desires to be in position whereby, if necessary, it can do the work where we can not get satisfactory contracts.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. PORTER. I yield.

Mr. LAGUARDIA. What status do these military officers assigned to these places have? Are they attachés?

Mr. PORTER. They have no status.

Mr. LAGUARDIA. Does the gentleman think we can send a sailor or a soldier into a country unless he is a military attaché?

Mr. PORTER. They hold a position in the Government. We shall send only one man, except to the important places, where we may send four or five men. We may have to send additional men where we do the work ourselves. We will need two or three warrant officers as bookkeepers or clerks in these instances.

Mr. LAGUARDIA. Why can not you take employees from the Treasury Department accustomed to building and this kind of work, and then we will not have any complications?

Mr. PORTER. There is no danger of any complications. We are doing it now; we are doing it in Haiti.

Mr. SCHAFER. Will the gentleman yield?

Mr. PORTER. Yes.

Mr. SCHAFER. Why should warrant officers obtain rental allowances if there are public quarters available?

Mr. PORTER. That is following the general law. Mr. Speaker, I reserve the balance of my time.

Mr. LAGUARDIA. Mr. Speaker, this bill is not as innocent as it looks. It is a departure from custom and the gentleman from Pennsylvania has presented no reason why it is necessary to detail officers and soldiers of the Army and the Navy and the Marine Corps to foreign countries to assist and participate in superintending the building of embassy structures. Now, gentlemen, if you read the report there is not one single word from the Secretary of State, and I doubt very much whether this bill has the indorsement of the Department of State. Under the present practice and custom of generations of use, military and naval officers may be assigned to foreign countries only as duly accredited attachés of the legation or embassy.

Mr. PORTER. Will the gentleman yield? It has the indorsement of the Foreign Service Buildings Commission, consisting of three Cabinet officers and four Members of Congress.

Mr. LAGUARDIA. Is the Department of State as such interested in the proposed sending of these sailors and soldiers into foreign countries to look out for the contracts and buildings?

Mr. WAINWRIGHT. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. WAINWRIGHT. Does the gentleman know whether the War Department or the Navy Department, who will have supervision over these men, have been consulted and have been given an opportunity to make any comment upon this bill?

Mr. LAGUARDIA. Of course the big question here relates to our relations with foreign countries in sending members of the armed forces there who have no diplomatic connection.

Mr. WAINWRIGHT. My question is whether the armed forces of the United States can be used in any capacity without the particular departments having them in charge consenting to it.

Mr. PORTER. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. In a moment. If the Members of the House will read the bill, they will find that it even provides for sending a medical officer along with each detachment, and it looks like a regular military mission. Picture the complications that would arise if any of these soldiers who are sent to supervise the mixing of the concrete, as described by the gentleman from Pennsylvania [Mr. PORTER], should get into a fight with native laborers. We would immediately have a complicated international situation, because it would be immediately charged that natives of a foreign country assaulted officers of the American Army or Navy. If the only purpose of the bill were to obtain supervision over contractors, or to get the necessary experienced talent where we are putting up buildings by ourselves, this commission might call on the Treasury Department, which has a trained building force that is now constructing a hundred million dollars' worth of buildings, and not take inexperienced men from the Army and Navy.

Mr. COLE of Iowa. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. COLE of Iowa. The only purpose of that is that the Army and the Navy men may be on the ground, and why not utilize them for that purpose, instead of going to the expense of sending men from Washington to do a very small job of supervising?

Mr. LAGUARDIA. Very well. Then I say to the gentleman from Iowa that if there were a bill before the House providing that where officers, warrant officers, or enlisted men of the Army and the Navy are on foreign service at a place where the Foreign Service Commission is constructing a building, that such officers and men may be detailed to that work, there would be no serious objection to it. But this bill is such a departure from precedent, something so novel, so unnecessary, as to make the bill silly. The very idea is silly. I ask the gentleman from Pennsylvania what is meant by this language:

The President is authorized to detail such officers, warrant officers, and enlisted men of the Army and the Navy, as in his judgment may be necessary, to the Department of State for duty in connection with the exercise of functions under the provisions of this act.

Mr. PORTER. It means just exactly what it says, the exercise of functions under the provisions of this act. The officers detailed superintend the construction of the work, and it is a very important matter. I can not emphasize this too much.

Mr. LAGUARDIA. Why is it important to have soldiers and sailors do that?

Mr. PORTER. Instances are bound to arise where the Government will have to do the work itself, which will require yeomen or two or three soldiers as timekeepers and bookkeepers to perform duties of that sort.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield to me?

Mr. LAGUARDIA. Yes.

Mr. GARRETT of Tennessee. The confusion has been rather considerable during this argument and I have not been able to get all that has been said. Do I understand now that this is to authorize the detailing from the Army of officers or men in uniform to render certain services in connection with the construction of embassy buildings or buildings where our ministers are to be housed, provided for under the laws that we have passed within the past few years?

Mr. PORTER. Yes; although I doubt very much that they would wear uniforms. I see no necessity for it.

Mr. GARRETT of Tennessee. But the bill authorizes them to do that; does it?

Mr. PORTER. Yes; they could if they wanted to.

Mr. GARRETT of Tennessee. Does not the gentleman from Pennsylvania think that that might be extremely dangerous? We certainly do not expect or desire to try to construct buildings for our ministers or our ambassadors in any country in which we have to use soldiers to do it.

Mr. PORTER. No; it is not intended in that sense at all. We must exercise a proper oversight over construction, and this is the best way to do it. As a matter of fact there would be very few cases where there will be over two or three of our men on the ground; in many cases only one. We naturally look to the Army and the Navy Departments, because they have trained men. I will say to the gentleman from New York, the Navy Department was represented before the committee and supported this measure. It is the only way that we have of assuring a proper return for the taxpayers' money.

Mr. GARRETT of Tennessee. It still seems to me to be a very peculiar thing that we should utilize men in uniform, I do not care how capable they are, who will have anything to do with the construction of buildings for the occupancy of ministers and ambassadors in other countries.



Mr. DENISON. Will the gentleman yield?

Mr. GARRETT of Tennessee. The gentleman from New York has the floor.

Mr. LAGUARDIA. I will yield.

Mr. DENISON. As I understand, although I may be misinformed, we have a great many men in the Engineer Corps, both Army and Navy, who have experience in this kind of work. It does not necessarily follow that they be in uniform; we have that class of men selected for construction work on our rivers and harbors and other construction work, flood-control work, and so forth, and if we want to have intelligent men supervise or look over the building of these buildings in foreign countries it seems to me we might well use this class of men for that purpose rather than to go to the expense of employing high-priced engineers from private life. I can not see any objection, merely because when they are on duty in the Army and Navy they have to wear uniforms, I do not see any objection to detailing them to look after such construction work.

Mr. LAGUARDIA. Will the gentleman state the status these men have in foreign countries. River and harbor work is all on American soil under the jurisdiction of the United States Government.

Mr. DENISON. When we build an embassy or legation building in a foreign country we are carrying on the business of our Government with the permission of that government, and we have a right to send anybody we want to.

Mr. LAGUARDIA. I beg to differ with the gentleman. Does the gentleman intend to say that when a foreign government builds an embassy in Washington, D. C., it can send over here anybody it wants to in violation of the immigration law, in violation of the treaties, in violation of the labor laws, in violation of the health laws? Of course, it can not, and such a proposition is silly.

Mr. DENISON. I do not mean to say that, and I did not say it, and the gentleman can not properly draw any such inference from what I said. We do not intend to do anything contrary to the laws of other countries.

Mr. LAGUARDIA. We have no greater right in a foreign territory than a foreign government has in our territory.

Mr. DENISON. The gentleman knows this bill does not contemplate our Government violating the laws of any country. Our Government would not do such a thing. We could not authorize it if we wanted to do so. This merely authorizes the detail of some men of the Army or the Navy or the Marine Corps to look after the building of our buildings in foreign countries.

Mr. LAGUARDIA. But the gentleman from Pennsylvania, the chairman of the Committee on Foreign Affairs, has not provided in his bill the status of these men in foreign countries under the treaties.

Mr. CRAMTON. If the gentleman will yield, of course, we have an Engineering Corps engaged in river and harbor improvements and works of that kind of an engineering character. Can the gentleman from New York or the gentleman from Pennsylvania state any use that is made of Army or Navy officers in construction work—I am speaking of construction work upon buildings—other than for the use of the Army or the Navy itself? We did not use them in the hospitals or the Veterans' Bureau—

Mr. JOHNSON of Washington. San Francisco fire.

Mr. PORTER. They supervised the buildings in Haiti—

Mr. CRAMTON. That is for the Army.

Mr. PORTER. If you will go to Port au Prince you will find four buildings put up there by the marines.

Mr. CRAMTON. That is aside from my statement. I am asking whether we use Army and Navy officers in Government construction work in this country other than in the Army itself or in the Navy itself? We do not put them at work on our post-office buildings, do we?

Mr. DYER. They put them on river and harbor work—engineers.

Mr. CRAMTON. I am speaking of buildings.

Mr. DYER. All the public buildings are put up under the Treasury except those for the Army and the Navy.

Mr. TABER. Mr. Speaker, will the gentleman yield to me?

Mr. LAGUARDIA. I yield to the gentleman from New York.

Mr. TABER. My understanding is that the Army and Navy at the present time—in the Navy in the Bureau of Yards and Docks and in the Army in the civil engineer section—they have not enough men to take care of more work than they are doing themselves. It seems inexpedient that we should send those men over the water to do this work. We ought to hire civilian help.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SCHAFER. The British are building an embassy in Washington. What would Congress think if the British

Government were to send 10 or 15 soldiers from their army to put up that building?

Mr. LAGUARDIA. They would not get very far. This bill takes men inexperienced in construction work, and take a hard-boiled quartermaster sergeant who gets into a row with his laborers; instead of a labor problem you are going to have an international problem on your hands.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. GARRETT of Tennessee. It seems to me if we have more people in the Army and Navy than can be used for the purposes that the Army and Navy are created for, we ought to dismiss the surplus, and if we have no more than we need we ought to keep as many as we need. It certainly does seem to me that we are treading on rather dangerous ground when we propose to take a part of the military force away from the service they enlisted for and put them into the matter of building in foreign countries.

Mr. LAGUARDIA. Mr. Speaker, I think that is a very good place to stop, so I will reserve the balance of my time.

Mr. PORTER. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

The SPEAKER. The gentleman from Maryland is recognized for five minutes.

Mr. LINTHICUM. Mr. Speaker, I think the gentleman from New York [Mr. LAGUARDIA] and the gentleman from Tennessee [Mr. GARRETT] misinterpret the intention of this committee. Congress appropriated a sum of \$10,000,000 a few years ago, to be expended in the building of United States embassies and office buildings throughout the world. There are a number of these projects to go up. Some of them are under contract and in some out-of-the-way places it may be necessary to build them by day labor.

Now, the Foreign Service Building Commission feels a very deep responsibility in connection with the expenditure of this \$10,000,000 and it wishes to throw around it every safeguard possible; to see that none of the money is lost or wasted and that no more money is paid than is necessary for those projects. We want to see the Government get a full dollar's worth of work for every dollar. We want to see that contractors live up to their contracts and put up buildings in accordance with the plans and specifications. The intention of this bill is merely this: If your Foreign Service Commission feels that a man is necessary for such a project, to get the President to detail him to do that. When you gentlemen voted for \$24,000,000 to be spent as the President thought proper in prohibition enforcement, I think you can feel perfectly safe that the President is not going to detail any man to any country unless that detail is perfectly satisfactory to that country.

Mr. LAGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. LINTHICUM. I regret I can not. I will ask that you get more time if you desire it.

It is necessary to see that this work is done properly. Sometimes the man is called "the clerk of the work." If the work is done by day labor without a contract, it is necessary to put a capable man there to see that the work is done in proper proportion. In another case it may be necessary to have a private soldier detailed on that work, or a man from the quartermaster's department who is thoroughly acquainted with building, to see that the contract is properly carried out.

What we are trying to do is to place every safeguard possible around the expenditure of your money. You gave it to us to spend. We want to perform our duty faithfully, and we want to avail ourselves of our people in this country in whom we have confidence who can help us. We feel a deep responsibility in this expenditure of \$10,000,000. Now I yield to the gentleman from New York.

Mr. LAGUARDIA. In a place where we have an ambassador and counsel to the embassy and first, second, and third chargés d'affaires and a disbursing officer, is it necessary to send a quartermaster to see that the work is properly done?

Mr. LINTHICUM. I do not think the counsel has the time to devote to it. I know very well that the ambassador has not the time to spare. In fact, I know that no man in these embassies has time to devote to this work.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. STEVENSON. What kind of a crossroads place is it that is so small that the Government, when it is going to build a building there, can not get a contractor to build it?

Mr. LINTHICUM. In Central America and in China there are several places where you can not get a man with whom to make a contract.

Mr. STEVENSON. Are those the proper places in which to spend this money?

Mr. LINTHICUM. Some of these countries are very unhealthy and it is necessary to place men under proper sanitary conditions to carry on these buildings.

Mr. LEHLBACH. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. LEHLBACH. I would like to ask whether the gentleman knows of any instance where the Treasury Department has called for the detail of Army or Navy personnel to supervise the construction of buildings in this country or whether they do not hire supervisors when they need supervisors.

Mr. LINTHICUM. Of course, in this country you can get all the people you want, your own people, but what we want in these foreign countries is some of our own people to see that the work is properly done.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. PORTER. Mr. Speaker, I yield the gentleman the balance of my time.

The SPEAKER. The gentleman is recognized for five additional minutes.

Mr. KORELL. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. KORELL. The question was asked a minute ago whether the officer personnel of the Army or Navy had ever been called upon to render service of this character in the past. I would like to ask if the gentleman recalls that when the Government buildings were under construction in Porto Rico, the local contractor fell down on the work and the Navy thereupon sent officers from the department to complete the work and that they completed it at much less cost than the contractor had originally figured?

Mr. LINTHICUM. I recollect that very well. I also recollect the case when they were building the President's palace in Haiti. There the contractor fell down and our Navy men went down there and completed that contract according to the plans and specifications, and the contractor got \$100,000 for that because the Navy men did so well and efficiently.

Mr. KORELL. Will the gentleman yield further?

Mr. LINTHICUM. Yes.

Mr. KORELL. The gentleman knows, I presume, that the War Department is now using its officer personnel to survey the potential water power of the country for irrigation purposes and for river and harbor work; also for flood-control work?

Mr. LINTHICUM. Certainly, and they are doing splendid work, too.

Mr. CRAMTON. Will the gentleman yield to me?

Mr. LINTHICUM. Yes.

Mr. CRAMTON. Let me direct the attention of the gentleman to the fact that the bill does not limit the use of these men to supervision of construction. It permits their detail for any purpose in connection with the exercise of the functions of the building act; that is to say, if a member of the commission were to go to South America on an inspection trip, this bill authorizes the appointment of a general and a couple of majors as his aides on that inspection trip. The bill is not limited to construction work.

Mr. LINTHICUM. The gentleman has too much regard and too much respect for the President of the United States to believe he would detail a force of that kind to accompany anyone making an inspection trip in South America or to any other country. I want you to understand, in the first place, that you have the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce; then, besides that, you have four Members of Congress composing this commission. This commission must first ask the President to detail a man; then the President considers it, and if he thinks well of it he does it. If not, he does not do it. I think the situation has every safeguard thrown around it.

Gentlemen, in conclusion, I want to say that the matter is entirely with you. We are trying to carry out your orders in the best way possible. We are trying to get you a dollar for a dollar and the best buildings that can be constructed. We are trying to safeguard the spending of the taxpayers' money. [Applause.]

Mr. LAGUARDIA. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I do not like to oppose a bill that is brought in by the Committee on Foreign Affairs, because I know it is a hard-working committee and that it tries to do what is right, but it seems to me it is absolutely incongruous and ridiculous for us to send officers of the Army and Navy all over the world to build buildings. In the first place, you have a lot of problems to consider when you come to erect buildings in a strange place. You have a strange country and climate, and you need an architect who knows the climatic conditions and the conditions under which a building should be

built in that place. In the next place, you need a man who understands the language of the people where the building is being built.

Mr. BEGG. Will the gentleman yield?

Mr. TABER. Surely.

Mr. BEGG. On the question of having an architect who knows local conditions, let me say to the gentleman that the architect who built the Imperial Hotel at Tokyo was a Chicago man and during the earthquake it never had a crack in it, and it was the only building that weathered the storm.

Mr. LAGUARDIA. But he was not a quartermaster sergeant.

Mr. BEGG. No; and he was not a Jap.

Mr. TABER. He had to have a local architect to tell him about climatic conditions and direct him as to matters of that kind. Now, we must hire local architects, and it seems to me that we should do in this instance the ordinary and usual thing and hire civilian architects to do this work.

If our Army and our Navy are going to be called on to do all the civilian work of this Government, and if we are to be obliged to create an organization there which duplicates the organizations in other places, our Army and our Navy are not going to do the things which they are ordinarily supposed to do, and they are not going to function along the lines that we expect when we appropriate money for the Army and the Navy. [Applause.]

These people have not any more architectural help than they need in their own departments. When they go to build a great, big Army post with barracks in a large center of the country, they call in local architects to do this sort of work and to advise them on it. There is not any sense in our sending them to do the things which they are called upon to ask for help on themselves, and it seems to me we should reject this bill and maintain the dignity and the position of our Army and our Navy. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. PORTER] to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. PORTER) there were—ayes 82, noes 56.

Mr. PORTER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So (two-thirds having failed to vote in favor thereof) the motion to suspend the rules and pass the bill was rejected.

#### AMENDMENT OF WAR MINERALS ACT

Mr. ROBSION of Kentucky. Mr. Speaker, I move to suspend the rules and pass, as amended, the bill (S. 1347) to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That any claimant who has heretofore filed with the Secretary of the Interior within the time and manner provided by existing law a claim under said acts generally known as the war minerals acts (40 Stats. 1272, and its amendments) may within one year from the date of the passage and approval hereof petition the Supreme Court of the District of Columbia to review the final decision of the Secretary of the Interior upon any question of law which has arisen or which may hereafter arise in the adjustment, liquidation, and payment of his claim under said acts, but the decision of the Secretary of the Interior on all questions of fact shall be conclusive and not subject to review by any court.

SEC. 2. In any proceeding brought under the provisions of section 1 of this act the Secretary of the Interior shall be designated as the defendant or respondent, and upon the filing of the petition the cause shall follow the usual procedure, subject to such rules or orders as the court may make with respect thereto.

SEC. 3. Jurisdiction is hereby conferred upon the Supreme Court of the District of Columbia, as a district court of the United States, to hear and determine all such suits and enter all orders, judgments, and decrees therein, subject to the usual right of appeal by either party to the Court of Appeals of the District of Columbia, whose final judgment may be reviewed by the Supreme Court of the United States by petition for certiorari or by appeal as provided by law and the rules of the court.

SEC. 4. Upon the final disposition of such proceeding, the clerk of the Supreme Court of the District of Columbia shall without delay certify to the Secretary of the Interior the final judgment or decree rendered therein, whereupon the Secretary of the Interior shall proceed with the final adjustment of said claim in accordance with the law as construed by the court in such judgment or decree.

The SPEAKER. Is a second demanded?

Mr. UNDERHILL. Mr. Speaker, I demand a second.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.



The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, ladies and gentlemen of the House, we have taken up Senate bill (S. 1347), and we are striking out all except the enacting clause and substituting as an amendment House bill H. R. 15861.

There have been quite a number of bills introduced on this subject during the last eight or nine years. It has finally boiled itself down to this proposition.

In 1919 Congress passed what is known as the war minerals act. It set aside \$8,500,000 to take care of losses in the production of certain minerals during the war. This act gave the Secretary of the Interior entire jurisdiction in hearing and determining both questions of law and questions of fact. Some 1,200 claims have been filed and these have been adjudicated. There remains unexpended nearly \$1,000,000.

There has been much complaint on the part of the various claimants to the effect that the Secretary of the Interior has not properly construed the law. There has been very little objection on the questions of fact.

All this bill does is simply to give the claimants the right to go to the district court, the court of appeals, and the Supreme Court on the questions of law alone. The action of the Secretary of the Interior under this bill, on questions of fact, is still final and conclusive.

So it is up to the House to say whether or not we want to give these claimants the right to go to the courts to have a construction of the law. If the courts construe the law as the Secretary of the Interior construed it, there will be no expenditure; but on the other hand, if the contention as to the law in two important particulars is overturned, it may cost the Government as much as \$3,000,000, according to the report of the Secretary of the Interior. We already have something like a million dollars.

Mr. DYER. Will the gentleman yield?

Mr. ROBSION of Kentucky. I will.

Mr. DYER. Will the gentleman explain why he changed the Senate bill in that the Senate bill provides for an appeal of the cases to the Court of Claims, and in his bill it goes to the Supreme Court of the District of Columbia. Does the gentleman know that the Supreme Court of the District of Columbia is very much overworked? We have had to give them an extra judge, and they are asking for more judges.

Mr. ROBSION of Kentucky. The Senate bill would give everybody the right to go to the Court of Claims, and there they would retry the case, go into questions of fact and law. Now, after 10 years we felt that the Government would be at a tremendous disadvantage in meeting the questions of fact. So the committee thought it wise if we limited it to one question and one question only.

Mr. DYER. Why not leave it to the Court of Claims? There are able lawyers upon that bench.

Mr. ROBSION of Kentucky. The Senate bill does not limit it to that.

Mr. BEGG. Will the gentleman yield?

Mr. ROBSION of Kentucky. Yes.

Mr. BEGG. I wonder if the committee gave thought to this fact: We provided for the method of procedure to settle it by the Secretary of the Interior, while another set of claims were to be settled under the Dent Act by the Secretary of War.

Now, if you are going to open the cases where they did not think they had got sufficient money, would it prevent these men who did not get as much as they thought they ought to get under the Dent Act opening up their claim?

Mr. ROBSION of Kentucky. Under the Dent Act all claimants except these have the right to go into the courts. Under this act as to war minerals the decision as to the facts and as to the law rests entirely in the bosom of the Secretary of the Interior. Representatives of the Interior Department came before our committee and said they did not object, but would welcome the construction of the law by the courts of the country as to this law and any other administered by that department.

I do not think there is anything unfair in allowing two or three litigants to go into court and have the courts construe the law. If the Secretary of the Interior has not properly construed the will of Congress, then the claimants have the right to have it properly construed. If the Secretary of the Interior has properly construed the law, undoubtedly the courts will say so.

Mr. SNELL. Will the gentleman yield?

Mr. ROBSION of Kentucky. Certainly.

Mr. SNELL. As I understand, this is the third time the general proposition has come before Congress. The first time we

passed the law supposedly to cover all of the claimants. The second time that it came up, again we included some more.

Mr. ROBSION of Kentucky. Yes; we enlarged it. There have been a number of bills before the committee to enlarge the scope of the act. I have resisted them all, but I do not find it in my heart to deny citizens of this country the right to have the law construed.

Mr. SNELL. This does not enlarge the number of claimants?

Mr. ROBSION of Kentucky. No; there are no new claims. No new claims can be filed under this bill.

Mr. WINGO. Will the gentleman yield?

Mr. ROBSION of Kentucky. Yes; I yield.

Mr. WINGO. As a matter of fact, all this bill does is to authorize the court to determine a disputed question of law that has arisen in the department, and about which the department itself is in doubt as to what the law is. I do not think the bill goes far enough.

Mr. ROBSION of Kentucky. This does not enlarge the act. It does not permit any new claims to be filed. It is merely an authorization for the courts to construe the act, and the Secretary of the Interior will administer it in accordance with the construction by the courts.

Mr. CRAMTON. Will the gentleman yield?

Mr. ROBSION of Kentucky. Yes.

Mr. CRAMTON. It is my recollection that we made a special class when the minerals claim acts were put on a legal basis, and not merely on a moral basis. We made one limit of cost; then a second limit of cost was created.

Mr. ROBSION of Kentucky. No; it was not, only in the way of interpretation, admitting claims that had been denied.

Mr. CRAMTON. There has been a controversy each time and we were told that that was all there was to it.

Mr. ROBSION of Kentucky. It came up last time on proposition for Congress to declare the intention of the law on interest and invested capital.

Mr. CRAMTON. I am speaking of the one before that, when assurance was given that that would be the end of it.

Mr. WINGO. But that did not pass.

Mr. CRAMTON. I refer to the one we did pass before that.

Mr. WINGO. The fund and the limit have been cut down as a matter of fact. It never has been increased. This does not increase it.

Mr. ROBSION of Kentucky. The first fund in 1918 was for \$50,000,000. In March, 1919, the Congress itself cut it down to \$8,500,000. As the Secretary of the Interior has construed the law and has administered the law, there is still a balance of the appropriation of nearly \$1,000,000.

Mr. SNELL. I definitely understood the second time we passed an act that we opened it up and took in more claims that had never been considered before.

Mr. ROBSION of Kentucky. That is true. That was in 1921.

Mr. CRAMTON. My recollection of it is not any too clear. It is brought up here very suddenly and I have not a chance to examine my files. My recollection of that last bill which was passed made possible the consideration of a number of claims of extremely dubious character, very shadowy rights involving men who had prospected in time of war with hopes of great reward and that they are now to come in and get their claims allowed.

Mr. ROBSION of Kentucky. That has no bearing on this bill.

Mr. WINGO. This has no bearing on that.

Mr. CRAMTON. I am sorry that it comes up now when we do not have an opportunity to check up with our files and see what it does.

Mr. ROBSION of Kentucky. Mr. Speaker, the Secretary of the Interior has ruled that this act does not provide for the repayment of money expended for the purchase of property to produce these minerals. It does not provide for the payment of interest where men borrowed money to go into these mining ventures. The only question now that this bill will open up when the law is construed is: Does the law authorize repayment for the purchase of property or the payment of interest that was borrowed to go into these mining operations?

Mr. DYER. Suppose the law does state that, suppose the Supreme Court decided that way, then, of course, if the claims are opened up and allowed, some of these dubious or large claims referred to will, if allowed, necessitate the appropriation of more money than has been appropriated by the Congress.

Mr. ROBSION of Kentucky. According to the report of the Secretary of the Interior, if these two items are allowed under the law, it will not mean more than \$3,000,000, and there is to-day about \$1,000,000 of the unexpended appropriation that would be applied. The Secretary says it might cost not more than a million and a half.

Mr. UNDERHILL. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. Yes.

Mr. UNDERHILL. Is it not a fact that the decision of the Secretary of the Interior is based largely upon the assumption that these ventures were largely speculative, and that he did not believe that the Government should attempt to repay these men for money expended or chanced during the war, for the sake of profits?

Mr. ROBSION of Kentucky. That is not his view. He just held that the law does not permit the refund of money paid to buy mineral lands out of which was to be mined these minerals, and that he is not authorized to pay interest on money borrowed to go into this business.

Mr. UNDERHILL. The law may possibly permit the Government to pay interest, but it has been the practice of Congress ever since I have been here to refuse to pay interest.

Mr. ROBSION of Kentucky. The question is: Was that interest for borrowed capital to go in as an element of loss? If the court holds it is an element of loss, then it comes within the law.

Mr. UNDERHILL. The court always holds that it is an element of loss, but Congress never has.

Mr. ROBSION of Kentucky. They may hold it to be and may not. The Secretary of the Interior with his able legal advisers say that it is not an element of loss within the purview of the law.

Mr. UNDERHILL. When the Committee on Claims reports a bill of this character it is always written in the bill that no interest shall be allowed on the claim.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. Yes.

Mr. VINSON of Georgia. The original act provided that the claimants should be compensated in net loss. If the courts construe "net loss" and say interest on borrowed capital is net loss, then that was the intention of Congress.

Mr. UNDERHILL. That does not necessarily follow, because Congress has taken the position time and time again that it will not pay interest. It has taken that position with regard to admiralty claims.

Mr. VINSON of Georgia. I grant that the gentleman is right as an abstract proposition.

Mr. ROBSION of Kentucky. But Congress used the words "net loss." It is not up to the Congress to say; it is now up to the courts.

Mr. UNDERHILL. The court is going to say that Congress meant interest when as a matter of fact Congress never intended to mean interest.

Mr. NEWTON. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. Yes.

Mr. NEWTON. Under the law as it now reads this whole proposition, both law and fact, was put up to the Secretary of the Interior, with no appeal whatever from his decision. No matter how wrong the Secretary might be there was no appeal. All this bill does is to permit an appeal to be taken from an administrative official—a subordinate, if you please, because they write the opinions there—to the courts. Am I correct?

Mr. ROBSION of Kentucky. To construe the law, the law alone.

Mr. UNDERHILL. Will the gentleman yield?

Mr. ROBSION of Kentucky. I will.

Mr. UNDERHILL. I will go along with the gentleman that far—that they have the right to have their day in court—but I do not believe this question of interest should enter into it.

Mr. NEWTON. Will the gentleman yield?

Mr. ROBSION of Kentucky. I will.

Mr. NEWTON. I do not so understand that this bill attempts to define any term in the existing law. It takes the law as it was written and says the claimant shall have the right to an appeal to the court.

Mr. ROBSION of Kentucky. This bill does not enlarge the law at all. It merely gives the claimant the right to go to the court to construe the law.

Mr. UNDERHILL. And to collect interest.

Mr. ROBSION of Kentucky. I do not know what the court will say.

Mr. BEGG. Will the gentleman yield?

Mr. ROBSION of Kentucky. I will.

Mr. BEGG. What I think perhaps the rest of the membership would like to know is this: As I got the statement from the gentleman there are two bases of discontent on the part of the claimant. One is that the Secretary of the Interior has refused to allow interest on the money lost—

Mr. ROBSION of Kentucky. No.

Mr. BEGG. That is what I got.

Mr. ROBSION of Kentucky. To allow repayment of interest on money that was borrowed to go into this business.

Mr. BEGG. To gamble with.

Mr. ROBSION of Kentucky. No; to produce these minerals.

Mr. BEGG. That is gambling, like an oil proposition; that is what I call it. I would like to ask another thing, if there was not a contention as I understand it, or disaffection by the claimant because the Secretary of the Interior says, "No; we will not pay back the money you spent to buy so many acres of land you thought had minerals on it and afterwards proved not to have them." That is the whole thing—

Mr. ROBSION of Kentucky. No; wait a minute.

Mr. BEGG. Then let somebody who knows something about it tell about it.

Mr. ROBSION of Kentucky. Wait a minute. These people bought land, the war closed, and the Government quit buying and there was no market for the minerals.

Mr. BEGG. The demand?

Mr. ROBSION of Kentucky. So that the money put into it was lost and—

Mr. BEGG. They still owned the land, did not they?

Mr. ROBSION of Kentucky. Of course, but it is worthless. The gentleman can see their situation.

Mr. BEGG. Is not that exactly what I said?

Mr. ROBSION of Kentucky. The reason this act was passed in the first place, Congress had passed an act in 1918 called the war minerals act and urged all the people to go into the production of certain minerals, and hung up a fund of \$50,000,000 and said, "We will take care of your losses if you will produce these minerals that can not be produced in peace time which we need so much to win the war." We cut out buying these minerals from Spain and other countries. Our people went into this mining business. The war ceased. The market was cut off and these people were left flat. Congress recognized the justice of their claims in 1919 and passed this appropriation of \$8,500,000.

Mr. ARENTZ. I will say to the gentleman from Ohio [Mr. BEGG] that he overlooks the most important phase of this question. The reason for placing an embargo on metals produced outside of the United States was the taking of our ships off that trade and allowing a higher price to be paid for minerals produced in the United States, so that these ships could go into the transport service carrying men and supplies to the men at the war front.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Kentucky [Mr. ROBSION] to suspend the rules and pass the bill.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. SCHAFER. Mr. Speaker, a division.

The SPEAKER. As many as favor the motion to suspend the rules and pass the bill will rise and stand until they are counted. The House divided; and there were—ayes 116, noes 38.

The SPEAKER. Two-thirds having voted in the affirmative, the rules are suspended and the bill is passed.

Mr. SCHAFER and Mr. KETCHAM made the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty Members are present, not a quorum. The roll call is automatic. Those who favor the motion of the gentleman from Kentucky will, when their names are called, answer "yea"; those opposed will answer "nay." The Clerk will call the roll.

The question was taken; and there were—yeas 199, nays 71, not voting 158, as follows:

[Roll No. 21]

YEAS—199

Abernethy	Chalmers	Edwards	Hadley
Adkins	Chapman	Elliott	Hall, N. Dak.
Allen	Christopherson	Englebright	Hardy
Allgood	Clarke	Eslick	Hare
Almon	Cochran, Mo.	Evans, Calif.	Hastings
Arentz	Cole, Iowa	Fish	Hickey
Arnold	Colton	Fisher	Hill, Ala.
Aswell	Connally, Tex.	Fitzgerald, Roy G.	Hill, Wash.
Bachmann	Connery	Fitzpatrick	Hooper
Bankhead	Cooper, Ohio	Fort	Hope
Barbour	Corning	Freeman	Houston, Del.
Bland	Crosser	French	Howard, Nebr.
Bowman	Dallinger	Fulmer	Howard, Okla.
Brand, Ga.	Darrow	Gambrill	Hudspeth
Briggs	Davis	Garber	Jenkins
Browne	Denison	Gardner, Ind.	Johnson, Okla.
Browning	DeRouen	Garrett, Tenn.	Johnson, Tex.
Buchanan	Dickinson, Mo.	Gasque	Johnson, Wash.
Bulwinkle	Dominick	Gibson	Kahn
Burness	Doughton	Gifford	Kemp
Busby	Douglas, Ariz.	Golder	Kless
Byrns	Drane	Gregory	Kincheloe
Campbell	Drewry	Green	Langley
Carss	Driver	Greenwood	Lanham
Carter	Dyer	Griffin	Lankford



Larsen	Moore, Ky.	Reece	Timberlake
Lea	Moore, Ohio	Robison, Ky.	Tinkham
Leavitt	Moore, Va.	Romjue	Vestal
Letts	Moorman	Rowbottom	Vincent, Mich.
Linthicum	Morgan	Rutherford	Vinson, Ga.
Lowrey	Morin	Sabath	Vinson, Ky.
Luce	Morrow	Sanders, N. Y.	Ware
McCormack	Nelson, Me.	Sanders, Tex.	Weaver
McDuffie	Nelson, Mo.	Sandlin	Welch, Calif.
McKeown	Newton	Sears, Nebr.	White, Colo.
McLeod	Niedringhaus	Shallenberger	White, Me.
McMillan	Norton, Nebr.	Sinclair	Whitehead
McReynolds	Norton, N. J.	Smith	Whittington
McSwain	O'Brien	Spearing	Wigglesworth
McSweeney	O'Connor, La.	Steagall	Williams, Mo.
Major, Ill.	Oldfield	Steele	Wilson, La.
Major, Mo.	Oliver, Ala.	Stevenson	Wilson, Miss.
Manlove	Patterson	Stobbs	Wingo
Mapes	Peavey	Summers, Wash.	Winter
Martin, Mass.	Peery	Swank	Wolfenden
Merritt	Purnell	Swing	Wright
Michener	Quin	Tarver	Wurzbach
Miller	Ragon	Taylor, Colo.	Wyant
Milligan	Rankin	Thatcher	Yon
Montague	Rayburn	Tilson	

## NAYS—71

Ackerman	Dowell	Kelly	Shreve
Andresen	Fitzgerald, W. T.	Ketcham	Simmons
Andrew	Foss	Korell	Snell
Ayres	Garrett, Tex.	Kurtz	Speaks
Beck, Wis.	Guyer	Kvale	Sproul, Ill.
Begg	Hale	LaGuardia	Sproul, Kans.
Black, Tex.	Hall, Ill.	Lehlbach	Strong, Kans.
Blanton	Hall, Ind.	McFadden	Strong, Pa.
Box	Hancock	Magrady	Swick
Brigham	Haugen	Menges	Taber
Cannon	Hoch	Monast	Thurston
Chase	Hogg	Morehead	Underhill
Collins	Huddleston	Parker	Wainwright
Cooper, Wis.	Hudson	Ramseyer	Wason
Crall	Irwin	Robinson, Iowa	Watres
Cramton	Johnson, Ind.	Rogers	Williams, Ill.
Culkin	Jones	Schafer	Wolverton
Dickinson, Iowa	Kading	Schneider	

## NOT VOTING—158

Aldrich	Cullen	Jeffers	Quayle
Anthony	Curry	Johnson, Ill.	Rainey
Auf der Heide	Davenport	Johnson, S. Dak.	Ransley
Bacharach	Davey	Kearns	Reed, Ark.
Bacon	Deal	Kendall	Reed, N. Y.
Beck, Pa.	Dempsey	Kent	Reid, Ill.
Beedy	Dickstein	Kerr	Sears, Fla.
Beers	Douglass, Mass.	Kindred	Seger
Bell	Doutrich	King	Selyig
Berger	Doyle	Knutson	Sirovich
Black, N. Y.	Eaton	Kopp	Somers, N. Y.
Bloom	England	Kunz	Stalker
Bohn	Estep	Lampert	Stedman
Boles	Evans, Mont.	Leatherwood	Strother
Bowles	Fenn	Leech	Sullivan
Boylan	Fletcher	Lindsay	Summers, Tex.
Brand, Ohio	Frear	Lozier	Tatgenhorst
Britten	Free	Lyon	Taylor, Tenn.
Buckbee	Fulbright	McClintic	Temple
Burdick	Furrow	McLaughlin	Thompson
Bushong	Garner, Tex.	Maas	Tillman
Butler	Gilbert	Mansfield	Treadway
Canfield	Glynn	Martin, La.	Tucker
Carew	Goldsborough	Mead	Underwood
Carley	Goodwin	Michaelson	Udlike
Cartwright	Graham	Mooney	Vincent, Iowa
Casey	Griest	Moore, N. J.	Warren
Celler	Hammer	Murphy	Watson
Chindblom	Harrison	Nelson, Wis.	Weller
Clague	Hawley	O'Connell	Welsh, Pa.
Clancy	Hersey	O'Connor, N. Y.	White, Kans.
Cochran, Pa.	Hoffman	Oliver, N. Y.	Williams, Tex.
Cohen	Holaday	Palmer	Williamson
Cole, Md.	Hughes	Palmisano	Wood
Collier	Hull, Morton D.	Parks	Woodruff
Combs	Hull, Tenn.	Perkins	Woodrum
Connolly, Pa.	Hull, Wm. E.	Porter	Yates
Cox	Igoe	Pou	Zihlman
Crisp	Jacobstein	Pratt	
Crowther	James		

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. Hawley with Mr. Garner of Texas.  
 Mr. Temple with Mr. Bell.  
 Mr. Buckbee with Mr. Hull of Tennessee.  
 Mr. Brand of Ohio with Mr. Kerr.  
 Mr. Treadway with Mr. Carew.  
 Mr. Wood with Mr. Casey.  
 Mr. Zihlman with Mr. Kunz.  
 Mr. Connolly of Pennsylvania with Mr. Mansfield.  
 Mr. Kendall with Mr. Boylan.  
 Mr. Crowther with Mr. Warren.  
 Mr. Michaelson with Mr. Lozier.  
 Mr. Griest with Mr. Carley.  
 Mr. Bacon with Mr. Stedman.  
 Mr. Free with Mr. Black of New York.  
 Mr. Bacharach with Mr. Tucker.  
 Mr. Ransley with Mr. Mead.  
 Mr. Taylor of Tennessee with Mr. Cox.  
 Mr. Reid of Illinois with Mr. Lyon.  
 Mr. Watson with Mr. Kindred.  
 Mr. Curry with Mr. Crisp.

Mr. McLaughlin with Mr. Doyle.  
 Mr. Kearns with Mr. Cullen.  
 Mr. Graham with Mr. Mooney.  
 Mr. Bohn with Mr. O'Connell.  
 Mr. Chindblom with Mr. Deal.  
 Mr. Beers with Mr. Collier.  
 Mr. Segar with Mr. Lindsay.  
 Mr. Pratt with Mr. Igoe.  
 Mr. Porter with Mr. Woodrum.  
 Mr. Thompson with Mr. Celler.  
 Mr. Welsh of Pennsylvania with Mr. Davey.  
 Mr. Johnson of Illinois with Mr. Fletcher.  
 Mr. Bowles with Mr. Pou.  
 Mr. Holaday with Mr. Reed of Arkansas.  
 Mr. Knutson with Mr. Weller.  
 Mr. Cochran of Pennsylvania with Mr. Sears of Florida.  
 Mr. Dempsey with Mr. Cole of Maryland.  
 Mr. Fenn with Mr. Sullivan.  
 Mr. Perkins with Mr. Combs.  
 Mr. Free with Mr. Underwood.  
 Mr. Reed of New York with Mr. Canfield.  
 Mr. Williamson with Mr. Hammer.  
 Mr. Yates with Mr. Summers of Texas.  
 Mr. Burdick with Mr. Rainey.  
 Mr. Beck of Pennsylvania with Mr. Williams of Texas.  
 Mr. Hersey with Mr. Somers of New York.  
 Mr. Woodruff with Mr. Cartwright.  
 Mr. Tatgenhorst with Mr. Jeffers.  
 Mr. Johnson of South Dakota with Mr. Oliver of New York.  
 Mr. King with Mr. Sirovich.  
 Mr. Leach with Mr. Tillman.  
 Mr. Davenport with Mr. McClintic.  
 Mr. Murphy with Mr. Fulbright.  
 Mr. Eaton with Mr. Prall.  
 Mr. Lampert with Mr. Cohen.  
 Mr. Kopp with Mr. Kent.  
 Mr. Estep with Mr. Douglass of Massachusetts.  
 Mr. Doutrich with Mr. Parks.  
 Mr. Bushong with Mr. Moore of New Jersey.  
 Mr. Aldrich with Mr. Dickstein.  
 Mr. Glynn with Mr. Evans of Montana.  
 Mr. Beedy with Mr. Gilbert.  
 Mr. Hughes with Mr. Bloom.  
 Mr. Maas with Mr. Martin of Louisiana.  
 Mr. Nelson of Wisconsin with Mr. O'Connor of New York.  
 Mr. Palmer with Mr. Palmisano.  
 Mr. Goodwin with Mr. Goldsborough.  
 Mr. Britten with Mr. Harrison.  
 Mr. James with Mr. Jacobstein.  
 Mr. Clague with Mr. Auf der Heide.  
 Mr. Leatherwood with Mr. Berger.

The result of the vote was announced as above recorded.

## FARM RELIEF

Mr. GREEN. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Florida asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. GREEN. Mr. Speaker and fellow Members of the House, as the date of adjournment draws nearer, I desire to again call the attention of my colleagues to the urgent necessity of the Congress passing some reasonable measure which will go to the relief of the agricultural interests of our Nation. By a brief reference to statistics compiled for this great industry, one can readily see that it is suffering a continued depression, and this depression has been growing more for the past eight years. By reference to a tabulation recently compiled by the Department of Agriculture, we find a decline in the market value of many of the basic agricultural products and we also find an incline to an alarming extent of farm indebtedness.

As compiled by the Bureau of the Census, the amount of mortgage indebtedness as reported for owner-operated farms in 1920 was \$4,003,767,192. In 1925 this had increased to \$4,517,258,689. We find also that the bankruptcies in the farming industry in 1921 amounted to 1,363, and in 1928, 5,678; therefore farm bankruptcies per thousand farms in 1921 was 0.21 and in 1928, 0.89. If we will calculate the total farm losses, including bankruptcies, mortgages, crop failures, depreciation, and general indebtedness, we will find that to-day the farming interests of our Nation has approximately \$30,000,000,000 deficit for the past 8 or 10 years; and now, my friends, any industry whose balance on the wrong side of the ledger amounts to some \$4,000,000,000 annually for 8 years surely is entitled to the most careful and sane consideration of the Congress. No industry can suffer such continued losses and survive.

The farm population was estimated in 1921 as 30,600,000, or almost one-third of the total population of the United States. In 1928 it was estimated at 27,699,000. Thus you will see a decline of more than 3,000,000 in the farm population during the past eight years. We find also that in 1920 the farm acreage was estimated at 955,883,715 acres, and in 1925, 924,319,352 acres. Since 1925 the acreage has decreased. The increase in the use of labor-saving farm machinery has, of course, had a tendency to reduce the farm population, but not to the alarming extent of 3,000,000 persons in eight years. Inasmuch as the acreage is decreasing, of course the farm machinery is not accounting for all of the loss in farm population. The chief reason for the de-

crease in farm population is the inability under existing economic conditions for farms to be self-supporting and make profits.

Millions of our farmers are farming at a loss each year. We find that the crop values in 1920-21 amounted to \$12,668,000,000 and in 1927-28 they were about \$12,253,000,000, although many of the staple crops increased in output.

My friends, something is radically wrong with an industry which defaults in this manner. The low net wages earned by the farmer or farm hand as compared to the earnings of persons employed in factories and other lines of endeavor account largely for the decrease in rural population. In 1919-20 farm hands on an average throughout the country, by the year, earned \$681. This is without board. Those employed in factories earned \$1,279 annually. In 1927-28 farm hands earned, on the average, \$584, while the factory hand earned \$1,301. Thus you will see a decrease in the wage of the farm hand and an increase in the wage of the factory hand; and this is caused, my friends, by organization of factory and industrial employees and the lack of organization by farm employees, and further caused by the fact that the various industries, factories, railways, and, in fact, almost every line of industry and their employees, are protected by Federal legislation, while heretofore the Government has not seen fit to extend its great arm of support and protection to the farmers and their employees. If this great decrease in farm wages and increase in factory wages should continue for a little while longer, the rural population will be exterminated, and you will have a nation wholly dependent upon outside production to supply the demands of its industrial employees. On the farm also, the average farm hand probably works 10 to 12 hours a day, and other employees, protected by the Federal Government, work from 6 to 8 hours a day; thus the difference, my friends, brought about through Government protection and organization.

Now, I am not in favor of in any manner reducing the earnings of those employed in other lines of industry; what I am in favor of is through proper legislation the Government raising the agricultural industry to a level with the other industries of our Nation and thus enabling farm wages to be raised on a parity with other wages. By doing this, rural life would be developed and would be made as attractive as other lines of industry.

It is interesting to note that farm mortgages and indebtedness are greater in some sections of our country than in others. In the New England States, for instance, the average farm mortgage indebtedness is 33.7 per cent; the Middle Atlantic States, including New York, New Jersey, and Pennsylvania, is 31.8 per cent; the east North Central States of Ohio, Indiana, Michigan, and Wisconsin have an average mortgage indebtedness of 39.5 per cent; while the west Northern Central States of Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, and Kansas have an average mortgage indebtedness of 51.2 per cent, or more than half the value. The South Atlantic States from Delaware to Florida have only 20.8 per cent mortgage indebtedness. The South Central States from Kentucky to Mississippi have 24.1; the west South Central States from Arkansas to Texas have 35.7; the Rocky Mountain States have the high mortgage indebtedness of 47.4, almost half their total value; and the Pacific States 46 per cent. My State of Florida is third lowest in farm mortgage indebtedness, the average being 19.4 per cent. West Virginia, a factory State, has 12.1 per cent, and Virginia 18.9 per cent. I believe the highest mortgage indebtedness exists in the State of North Dakota, which is 63.8 per cent; South Dakota has 62.4 per cent; Iowa has 55.6 per cent; Nebraska 56.5 per cent; and yet some of those splendid western Republican colleagues of mine who are stalwarts on the Agricultural Committee so far, have failed to enact farm-relief legislation. This mortgage indebtedness has reference to the farms owned by the farmers themselves.

United States production and value of meat, wheat, oats, corn, and cotton, 1921-1928

Year	Pork, excluding lard <sup>1</sup>	Lard <sup>1</sup>	Beef <sup>1</sup>	Veal <sup>1</sup>	Mutton and lamb <sup>1</sup>
	Million pounds	Million pounds	Million pounds	Million pounds	Million pounds
1921.....	7,645	2,114	6,103	747	626
1922.....	8,260	2,357	6,706	792	535
1923.....	9,595	2,783	6,873	862	571
1924.....	9,279	2,746	7,065	925	589
1925.....	8,255	2,223	7,146	1,001	599
1926.....	8,181	2,324	7,458	960	643
1927.....	8,533	2,356	6,826	867	645

<sup>1</sup> Estimates of the Bureau of Animal Industry. Value of production not available. Production estimate for 1928 not yet available.

United States production and value of meat, wheat, oats, corn, and cotton, 1921-1928—Continued

	Wheat		Oats	
	Quantity	Farm value, Dec. 1	Quantity	Farm value, Dec. 1
	1,000 bushels	1,000 dollars	1,000 bushels	1,000 dollars
1921.....	814,905	754,834	1,078,341	325,954
1922.....	867,598	873,412	1,215,803	478,948
1923.....	797,394	736,006	1,305,883	541,137
1924.....	864,428	1,123,086	1,502,529	717,189
1925.....	676,429	957,907	1,487,550	565,506
1926.....	831,040	965,954	1,246,848	466,582
1927.....	878,374	979,813	1,182,594	531,762
1928 (preliminary).....	902,749	877,193	1,449,531	592,674

  

	Corn		Cotton	
	Quantity	Farm value, Dec. 1	Quantity	Farm value, Dec. 1
	1,000 bushels	1,000 dollars	500-pound gross weight bales	1,000 dollars
1921.....	3,083,569	1,297,213	7,964	643,933
1922.....	2,906,020	1,910,775	9,755	1,160,968
1923.....	3,053,557	2,217,229	10,140	1,571,829
1924.....	2,329,414	2,265,771	13,628	1,540,884
1925.....	2,916,961	1,968,761	16,104	1,464,032
1926.....	2,692,217	1,729,457	17,077	982,736
1927.....	2,763,093	1,997,759	12,955	1,269,885
1928 (preliminary).....	2,839,959	2,132,991	14,373	1,291,589

Division of Statistical and Historical Research. Figures for grain and cotton compiled from reports of the Division of Crop and Livestock Estimates.

#### ANNUAL INCREASE OF FARM INDEBTEDNESS AND LOSS

The division of agricultural finance is now engaged in a study of farm indebtedness. The results will not be available until some time in the spring.

The Bureau of the Census reports: Amount of mortgage debt as reported for owner-operated farms: 1920, \$4,003,767,192; 1925, \$4,517,258,689. See also attached mimeographed report, Division of Agricultural Finance. Farm bankruptcies as reported by the United States Attorney General: 1921, 1,363; 1928, 5,678. Farm bankruptcies per 1,000 farms: 1921, 0.21; 1928, 0.89.

Farm population (estimate of division of farms, population, and rural life)

Jan. 1:		
1921.....	30,600,000	
1928.....	27,699,000	

#### FARM ACREAGE

Census:		
1920.....	955,883,715	
1925.....	924,319,352	

#### Value of farm production (July, 1928, crops and markets)

1920-21 (July-June).....	\$12,668,000,000
1921-22 (July-June).....	9,214,000,000
1927-28 (July-June).....	12,253,000,000

Mr. Speaker, I note with considerable pride that only two States have a smaller farm-mortgage indebtedness than my State of Florida. I would also call to the attention of my colleagues, with the same pride, to the fact that Florida has, according to the latest figures that I have been able to obtain, the highest average annual acre crop value of any State in the Union. The average annual per acre value of Florida crops is \$107. The next highest is California, with \$79; Massachusetts and New Jersey, each \$73; Connecticut, \$66; Colorado, \$62; and from here the values of the various States decrease until the last one is reported at \$11 per acre. It is also of interest to note that this \$11 average annual acre yield is one of those States which has one of the very highest farm-mortgage indebtedness averages. It is awfully hard for a farmer who lives in a State two-thirds of whose farms are mortgaged and whose average crop-acre value is \$11 to compete with a State whose average farm-mortgage indebtedness is less than 20 per cent, and whose acre yield is \$107. Something is radically wrong with American agriculture; and my colleagues who live in these States where indebtedness is so heavy, losses so great, and crop values so small will continue to lose hundreds of their farmers every year to Florida and other lucrative States unless the Congress passes a general farm law which will raise the wage and economic standard of the farmer.

I would like to remind my colleagues that Florida has more than 35,000,000 acres of land, less than 3,000,000 of which are now under cultivation. Almost all of the remaining 33,000,000 acres are tillable. Florida's agricultural products for 1927-28 season were valued at \$140,000,000. It furnishes about 80 per



cent of the Nation's grapefruit; 60 per cent of the Nation's eggplants; 40 per cent of the table cucumbers; 40 per cent of the snap beans; 65 per cent of the peppers; 32 per cent of the celery; 25 per cent of the tomatoes; 10 per cent of the early Irish potatoes; and a large percentage of the other vegetables, as well as staple crops which are consumed by our Nation. Some of the largest tobacco fields in the country are to be found in my own congressional district, and also extensive pecan groves as well as vast acreage of watermelons. Dairying and the livestock and poultry industries are also rapidly growing.

Florida has no bonded or State indebtedness, no inheritance tax, no income tax, no corporation tax, no corporation transfer tax, no severance tax, no franchise tax, and no tax on intangibles; and her real hope rests in her productive soil and unparalleled climate. Why, my friends, during the present season Florida peppers have sold as high as \$15 per crate on the New York market, the highest price ever obtained. A carload at these prices would bring \$5,000. Avocado pears produced in the Everglades section have recently sold as high as \$25 per crate. Almost all of Florida's soil is rich compared to the soils of other States. It is not unusual for vegetable crops to be placed on the market 10 to 12 weeks after the seed are planted in the ground. Of course, these high prices just mentioned by me do not prevail during an entire season, and very often on account of the lack of Federal marketing facilities our vegetable producers even suffer a loss when the season's crop is taken as a whole; but with proper marketing facilities as could be established by the Federal Government, then the acres which are now tilled in Florida and millions of similar acres in Florida could and would produce the entire Nation's need and supply of fall, winter, and spring vegetables. Why, it is not at all unusual to obtain \$20 for a crate of 32 quarts of strawberries on the platform at Lawtey or Starke, Fla. Millions of acres of land in this vicinity and in other sections of our State could be brought in for profitable strawberry production if the Government would provide a competent system of marketing and if the Interstate Commerce Commission would regulate freight and express rates from our local platforms to the northern, western, and eastern markets.

One of Florida's great productions is that of citrus fruits. This season her citrus crop may run as high as 20,000,000 bushels. That of California and Texas combined may run even greater; but even so, if this fruit had been and could be properly distributed among the individual citizens of the United States only a few oranges and a few grapefruit would be available for each individual. The people throughout the United States are demanding fresh vegetables and fresh citrus fruits as well as other fruits, and yet our marketing facilities are not such as to carry the supply to answer the demand. Florida has something like 75,000 acres planted to grapefruit trees, about 55,000 of which are bearing. She has approximately 170,000 acres planted to orange trees, with about 100,000 bearing, different varieties producing grapefruit and oranges for the market at different times of the year.

For example, the early varieties of oranges placed on the market from November to January are such as Parsons, Temples, and Enterprise; midseason varieties from January to March, Seedlings and Pineapples; late varieties from March to January, Valencias, Lue Gim Gongs, and other varieties. The citrus industry will always be one of Florida's most important, owing to the growth in popularity of this fruit, and also owing to the peculiar soil and climatic conditions necessary for its proper production. Florida has both.

Of particular interest and benefit to the Nation is the use recently of citrus fruits, particularly grapefruit, as a diet to counteract influenza. Florida's Citrus Growers Clearing House Association, which is a new and splendid organization for the orderly and effective marketing of citrus fruits, recently donated 20 carloads of grapefruit to be used throughout the country as a preventive against influenza. Recently I read an interesting account of Dr. Daniel Hodgdon, experimenting with grapefruit as a protection against influenza. He experimented with 1,100 children in the State of New York in one institution, and the last report that I had was that not a single one of these children had contracted influenza. Doctor Hodgdon attributed their immunity to the abundance of grapefruit and orange juice given to them. Dr. W. A. McKenzie, of Leesburg, Fla., has also recently successfully carried on through the State of Florida a crusade "Citrus-fruit juice and soda to prevent influenza." I understand that this crusade has had a telling effect and that the number of cases of influenza and deaths from same in the State of Florida were very negligible during the recent epidemic.

The rural life of Florida, my friends, is very interesting. Recently I read where Miss Quinelle Fuller, of Fort White, Columbia County, Fla., represented Florida at the national health contest held in Chicago in connection with the Interna-

tional Farm Demonstration Club Congress last December. This young lady scored 98.2. Her showing at this contest was a result of her own prudence, Florida's matchless climate and rural life, and the effective results of the home demonstration agents found throughout the State of Florida. There are at present more than 5,000 club girls in the State of Florida, as well as thousands of farm club boys.

The home demonstration and farm demonstration clubs, through the training and development of the youth of the rural communities, are rehabilitating the rural life of our country, and, after all, Mr. Speaker, the rural citizenship is the most dependable of all in our Nation. They live close to nature and by the sweat of their honest brow labor beneath God's blue skies and wring their living from Mother Earth. They here dwell and commune with nature and the finer things of life. The chances for social and moral corruption are fewer, their temptations are not so many, and their inbred ability for self-sacrifice and service to mankind is greater. They are vigorous in heart, in body, and in soul, and really, after all, they represent the most stable, dependable, and best citizenship of our land. Our rural citizenship deserves so much and yet receives so little.

While I know it is impossible for the Congress to pass a bill which would immediately bring the farm wage standard up to that of industry, I do know, however, that if the Government would set up a comprehensive and effective marketing system whereby the agricultural products would find their way to the consumer without the middleman grafting, profiting, and swindling the producer, that things would at once take an incline. In our country, as I see it, we have not a problem of overproduction. Our problem is that of proper and effective distribution. The approximately 120,000,000 people in America would readily consume almost every product of the American farmers if same were conveyed to the consumer at the proper time and less the overhead and middleman expenses. Recently, my friends, I priced shirts in the local market and found that the shirt offered for \$2 to the customer had in it cotton material for which the farmer received less than 20 cents. I also found that the hide that went to make a \$10 pair of shoes brought to the man who raised the beef which gave the hide less than \$1. And do you mean to tell me that these conditions represent a safe and sane economic balance? When pork and beef sell across the counter for 50 cents to the consumer and yet the man who raised the hog or the cow receives 6 cents or 7 cents per pound, would you say that that is a safe economic balance?

My friends, surely this is a situation which proper legislation can remedy, and we owe it to the American farmer to do as much by him and for him as has been done for the big corporation and the various industries, and I for one expect to fight his battle and work for his relief as long as I am able to raise my voice. You may build in the rural communities schools, roads, power lines, install telephones, offer labor-saving machinery, or what not, but he will run a losing race until the proper machinery is set up for him to market his products at a reasonable price. In my State, and in fact throughout the Nation, the farmers are groaning under the heavy burden of taxation. Their taxes are increasing every year and yet in almost every instance the price of the product he sells is declining every year. The number of mortgages and the number of bankruptcies in the farm areas is increasing along with the taxes every year, and unless the Congress will pay less heed to greed and monopoly and more heed to the needs of the agricultural interests of our Nation, soon the rural life of our Nation will be extinct.

My colleagues remember that only the last session of Congress there was a measure before the House which would have done more to relieve the farmers, particularly the southern farmers, than any measure which has been before the Congress in a decade. I have reference to the bill which would have converted Muscle Shoals into a great fertilizer producing plant. This, my friends, as you know, was only in accordance with the intention of the Congress several years ago when approximately \$150,000,000 of the taxpayers' money was spent on Muscle Shoals. Muscle Shoals was developed primarily for the manufacture of explosives (ammunition) in time of war and for fertilizers in the time of peace, and our bill which we passed last session had for its purpose the carrying out of the intent of the Congress which appropriated the money for the development of Muscle Shoals; but what was the result? It met death at the other end of Pennsylvania Avenue at the desk of your Republican President. The President refused to sign this bill which would have promptly provided for the production of fertilizer at Muscle Shoals.

If this bill had gone into effect instead of the millions of dollars which are now bled from the farmers of the Nation for Chilean nitrates and for other foreign fertilizer monopolies,

leaving our country for the benefit of the few, these moneys would have remained in the pockets of our farmers. If this bill had gone into effect in all probability in 1929 the farmers of this Nation would have paid approximately one-half for fertilizer that was paid in 1928 and other years before 1928. Instead of the farmers of my little county donating approximately \$100,000 in 1929 to these fertilizer barons, they would have expended probably \$50,000 and obtained an even better grade of fertilizer. For almost all southern soils fertilizer is essential. In almost every soil there is absent one or more of the necessary plant foods which must be supplied by commercial or other fertilizer.

If the Congress would pass another bill to convert Muscle Shoals into a fertilizer-manufacturing plant, the President's wishes to the contrary notwithstanding, great benefit would come to the American farmers. I strongly urge the passage of such a bill, and it would give me pleasure to vote for same over the President's veto. It is not a sound financial policy to spend \$150,000,000 of the American taxpayers' money to develop Muscle Shoals and then permit it to remain idle because a few individuals desire to continue to graft on the American farmers. It is not too late for my Republican colleagues to yet serve the interest of the American farmer. By the prompt passage of this bill over the President's veto you would be keeping faith with the American farmer. I hope you will promptly bring it to the House for a vote.

President-elect Hoover is pledged to call an extra session of Congress, if necessary, for the passage of a farm bill, but why wait for an extra session? The House apparently has time a plenty to act on farm relief before the adjournment March 4, and what is more pressing or deserving of the time of the House than farm relief? In my opinion the time of the House could be no better spent than in the prompt passage of an effective marketing bill whereby the 1929 crops of the American farmers could be marketed at a living price; therefore I most respectfully urge that the Agricultural Committee promptly report the farm relief bill to the House for immediate action. I am tired of your red tape and delay. Our people need and demand immediate action. You have waited too long already, and may I admonish you that you can not continue to fool the American farmers. They are intelligent, they read and know things, they know their own needs, and I know it is time for the Congress to say less and do more. I urge immediate action. [Applause.]

Mr. Speaker, I ask unanimous consent to revise and extend my remarks by inserting some figures relating to agriculture compiled by the Department of Agriculture.

The SPEAKER. The gentleman from Florida asks unanimous consent to revise and extend his remarks and incorporate therein some figures relating to agriculture. Is there objection?

Mr. SCHAFER. Mr. Speaker, reserving the right to object, I did not hear the gentleman's request.

Mr. GREEN. I would like to say to my friend from Wisconsin that I desire to incorporate in my remarks some figures compiled on agriculture by the Department of Agriculture.

Mr. SCHAFER. There is nothing in the gentleman's remarks relating to the prohibition question?

Mr. GREEN. There is not in this speech.

The SPEAKER. Is there objection?

There was no objection.

ADDRESS OF HON. DAVID A. REED

Mr. BOX. Mr. Speaker, I ask unanimous consent to extend my remarks by printing in the RECORD an address delivered by Senator DAVID A. REED before the Women's Patriotic Conference on National Defense on January 30.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by printing an address delivered by Senator REED. Is there objection?

There was no objection.

Mr. BOX. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following address delivered by Senator DAVID A. REED, of Pennsylvania, before the Women's Patriotic Conference on National Defense at Memorial Continental Hall on January 30, 1929:

#### IMMIGRATION

Senator DAVID A. REED. It is a very great pleasure to be here, Madam President, a very great privilege to be able to speak on a topic which is so close to my heart. I suppose that every patriotic society in America is interested in the problem of the regulation of immigration because, after all, we realize instinctively that there is not much difference between throngs of aliens coming in troop ships with guns in their hands and throngs of aliens coming in the steerage, coming

peaceably but coming to stay and to make this their place of permanent home.

All through history, and before history began I suppose, it has been true that men wanted to migrate to where the most fertile fields could be found. To-day in America we have the most fertile of all the fields in the world, figuratively speaking. It is easier to earn a living in this great country of ours, a comfortable living, than in any other spot on earth. Of course people want to come here; of course the pressure is terrific. The number of registered applicants for emigration from Italy to the United States is understood to be more than two hundred times the present annual quota for that country. It would take 200 years, if not another applicant were to present himself and if they were all to live, to get in those who have already registered their desire to come into the United States under the quota. And think of the hundreds of thousands who have not registered because of the hopelessness of it. And what is true of Italy is similarly true of Poland, of Yugoslavia, and of all those Balkan countries, where life is hard, where agriculture is difficult, where the wage scale is low. It is true of all the countries of eastern and southeastern Europe. To them America is the great magnet, and half of the population of those countries would be here if their wish could come true.

Now, if they did come, it is very obvious that they would bring down our scale of living; it is obvious that we would have long lines of applicants at the employment office of every industry. It is obvious that they would bring with them different ideas of government from our own.

We hear all this talk about immigration. People think sometimes that we are pretending that we are so immeasurably superior to those people—that that is the reason we do not want them. Well, that is not the theory on which we can base our policy. We Americans can not yet say that our artistic history is comparable with that of Italy, for example. Italy has 20 centuries of glorious past. We have not more than a century and half of real permanent civilization. We can not pretend that the past pictures us as better people than they; but we can say, and say with sincerity and truth, that their outlook is different from ours. We can say that we have learned self-government, we Americans, because for centuries past our ancestors went to the primary school of self-government, went through all the mistakes that people who undertake self-government are bound to go through; and our ancestors and ourselves have learned to govern ourselves with a fair degree of self-restraint simply because we have been at it for generations and generations.

So it is natural and it is right that we should say that we do not want this country filled with Arabs, who have lived always under a patriarchal government, where the common man did not even dare whisper his views of governmental affairs. We are not ready to throw America over to the control of people whose point of view is so radically different from ours and to whom our system is so unsuited. We do not claim that we are better than the Arab or the Eskimo or the Chinaman. It is sufficient for us to say that they do not fit into the scheme of things we have here in America. [Applause.]

Let us take that for our first postulate; that we are not claiming to be any better than anybody else; all we claim is that we are a little bit different and that we have got a vastly different theory and practice of governing ourselves, and that we have an adequate population here. There are enough of us to people this land of ours sufficiently and we do not want to be overcrowded, and, inasmuch as we got here first, we have a right to say who is going to come in the future. [Applause.]

Now, one might ask, Was not this all settled five or six years ago? Didn't we pass an immigration restriction law? Why should this man be taking our time to talk about a subject that has been settled? Well, that is true, my friends. In 1924 we did pass a permanent law to restrict immigration, but it has given great dissatisfaction to throngs of people who have relatives abroad. Very naturally they want to bring them in, and, of course, if they do bring them in, then they in their turn would have a crowd of relatives they would want to bring in. It would be an endless chain, too, for the people who are here and who have cousins and uncles and aunts abroad and want to bring them to America would involve countless others. It is natural that they should resent the present system that says they must not.

So they have begun a serious and determined attack, not on the essential principle of restriction, because they know that they can not beat that down now, but they have begun to whittle away at the methods by which we determine the quotas; and it seems to me to be so serious that I want to explain to you what is going on and why it threatens danger to the whole system of immigration restriction.

When we came to pass the law it was obvious that the total immigration that was to be permitted, which was about 160,000, had to be divided among different countries somehow. You could not just arbitrarily say to Great Britain, "You get 10,000," and say to Germany, "You get 10,000," and so on. The quotas would be too small for some countries and far too big for others. So a rule of thumb was adopted, temporarily and only temporarily, that we would base the quotas on the number of foreign-born people who were in the census of



1890. That census is now 39 years old and, of course, it is claimed by these foreign folk that it is an artificial thing to go back to a 39-year-old census and that we ought to take the up-to-date census of 1920. But it never seems to occur to them or to any of the critics of the law that the great injustice of the whole business is to ignore all of us who were born here. [Applause.] Now, surely we have got just as much right to be reflected in those quotas—we whose ancestors have been here for many generations back—as has the most recently arrived immigrant who is not naturalized and who does not even know what naturalization means. [Applause.]

Now, it was that feeling, not that we were better than this recently arrived immigrant—though we demand of him as much as we concede to him, that he recognize that we are just as good as he is—that feeling caused us to insist, when that law was drawn, that it was all right, temporarily, to base our quotas on the number of foreign born in any census that we wanted to take. But for a permanent system we say that, if it is possible, we must take into account the whole population of this country and make the quotas as nearly like the composition of the whole Nation as it is possible for the scientists in the Census Bureau to make them.

"Well, of course," say the critics, "you can not take DAVID REED and trace him back and find out how much of him is English and how much of him is Irish, although we suspect there is a lot of Irish in him." [Laughter.] They say it is impossible to analyze each individual and get the composition of the nation in that way. And, of course, we readily admit you can not. Most people who have not given particular study to genealogy, and some who have, do not really know who their ancestors were or from what country they came.

But it is perfectly easy to do it the other way about. We know how many people were here in 1790, because they took a census then; and that census has been studied with the greatest care by learned men for many years before immigration regulation came to be an acute question. As far back as 1910 an analysis was made officially by the Census Bureau of the composition of the population of 1790. We have had a census every 10 years since, and we have kept careful records of immigration for over a century. We have kept careful records of emigration—which has been comparatively small—for many years. We know, as closely as we can know anything, just how many people of each nationality there were here in any particular year since 1492, and it is perfectly easy for the scientists to calculate the factor of increase, as they call it. They tell us, for example, that each person who was here in 1790 is represented to-day, on the average, by 13 descendants. So one Englishman living in America in 1790—of course, they were about 90 per cent of the population then—you can say is represented to-day by an equivalent of 13 units or persons in the population of to-day. That has been calculated with the utmost care. Of course, it can not be precise, but no method can be precise. Even this temporary basis I spoke of is hopelessly vague, because in 1890 there was not any Poland and there was not any Lithuania and there was not any Czechoslovakia or Yugoslavia; in 1890 the boundaries of Austria were vastly different and the boundaries of Germany were vastly different.

The boundaries of nearly every state in Europe that was in the last war were different then from what they are now; and it is a wild guess, at the best, when we try to say how many foreign-born people were here in 1890 from, let us say, Poland. Of course, it is a guess; any method is a guess. But the most indiscriminatory method that has been suggested is this one of taking the whole population. And it is the very essence and heart of the immigration law, in my judgment, that we keep it free of discrimination. So long as we can keep that law free of discrimination and so long as we can say to the German, to the Pole, to the Englishman, "We are treating you on a basis of exact equality; we are treating everybody in the United States on a basis of exact equality; we are treating ourselves, whose ancestors fought for America throughout the last 150 years, exactly as we are treating the Syrian who arrived in our ports yesterday,"—certainly they can not ask more than that. We are not discriminating here between native born and foreign born, between citizen and alien even, though the alien certainly has no vested right to be considered at all. [Applause.] But we have been generous enough to take the native born, the naturalized American, and the unnaturalized resident and consider them all on an equality in fixing these quotas and to make no discrimination whatsoever between any two foreign countries except those in the barred zone.

I have not stopped to talk about the Asiatic restrictions that keep out Malays, Chinese, Siamese—people of that sort. It is not necessary, because that is a settled question. It seems to be for the good of America that that should remain a settled question. I have not talked either about the absence of a quota for Africa. The negro element of our population does not desire further immigration from Africa, and they do not regard it as an injustice, and they agree with us on the wisdom of having no further immigration from that source. Those questions are closed.

But as to that part of the world from which we do permit immigration, as I say, we have gone to the extreme in trying to work out a system which does not discriminate between men or between nations. Now, if we can hold that our law is safe. If that goes—and that is the thing that is being talked now by certain foreign groups, on the

ground that putting that into effect will reduce their present temporary quotas. They assume that that is unjust; of course the contrary is the fact, for at the present time they are getting too much under the temporary quotas. If we can hold this essential feature of the law and keep it nondiscriminatory, then there can not be a successful attack upon our present policy, and we will keep the America of our grandchildren and their grandchildren the same as the America that we see to-day. [Applause.] And it will still be speaking English and it will still have the same standards of right and wrong. [Applause.] It will still be a land where women do not work in the fields; it will still be a land where equality means something more than a catch-vote phrase for politicians to use. [Applause.]

But don't you see if they could once get rid of that nondiscriminating system, so as to furnish a basis for claiming that Italians, for example, or that Germans, for example, or any nationality is being unfairly dealt with, then there would be put into the hands of these foreign groups at election time one of the most dangerous of all possible weapons. Every politician, with occasional exceptions, is a coward. [Laughter.] The finest flower of his cowardice blooms around election time and if any foreign-born group, of whatever origin, can come to him and say to him: "In our language papers we are going to turn the solid Eskimo vote out against you unless you will agree to pledge yourself to break down this unfair restriction of immigration"; the average politician will say, "Yes, my dear people; I have been worried about that for a long time; I am with you." And we have all seen it happen.

So it is up to us Americans who do not hyphenate our allegiance, who own no foreign allegiance, who look to America as our only country. We are the arbiters in this thing. [Applause.] It is for us now and in the years to come to insist that the law stand as it is, discriminating against nobody, and that it be not broken down by the influence of these stories of human interest, as they call them, which they have set out to collect. Many of them are pitiful stories that do really touch one's heart; but we must not allow those gates to be thrown wide open again for the admission of the trash of Europe, the people who are excused from serving jail sentences if they agree to emigrate. That is the kind of people that will come if once we give in to the appeal that is made in the name of sentiment. Some of it, as I say, does touch us. We hear of people, old men, old women, without support over there, and we are accused of having separated the family. Why, nobody ever stops to think that it was the relative that came here that separated the family. We did not do it. If he came before there was any restrictive immigration law staring him in the face it is his fault that he is not naturalized by this time. If he came since then he came with his eyes wide open, because he had to pass that barrier himself and get his visa, and he had plenty of actual notice that the immigration law was there to impede the following of these relatives for whom he has become so suddenly solicitous. So we are not being unfair to them, my friends. They have all had plenty of notice, and if those families are separated it is their fault and not yours or mine. [Applause.]

And now I have talked longer than I meant to talk about this. But truly it is so important; it is part of our national defense in peace time; we have got to stick to it. It is just as important as it is to have an adequate army, an adequate navy. We must keep this fortress around our frontier and keep out this vast throng that would come here to change the character of this Nation that we all so dearly love.

I thank you. [Applause and demonstration.]

MR. MILLER. Will you allow me to ask the Senator, in case the national-origins plan as it is now provided to be applied under our law is repealed, what, in his opinion, will be the quota basis used?

Senator DAVID A. REED. I wish I could answer that. I do not think anybody knows. All the critics of the present plan are voluble but they never suggest anything that is better. Nobody knows what we would do. Nobody has suggested any better basis.

May I make a second speech? [Applause.]

You hear so many people saying, "Why do you keep them out by numbers? Why don't you let in just the best?" And that appeals to us—as if we could stop and examine them and talk to them and get their motives for coming here and find out their character, their habits, their religion, and all that. It would be ideal. But the moment we adopt a system of supposed fitness, don't you see how it opens the gates for sheer political pull and all that follows? The consul admits the person who has the biggest pull or offers some other inducement. The Congressman rushes to the State Department and says: "I have a little friend living in the Ghetto over in Poland, and he is a splendid fellow. Really, his character could not be better. I want him to come in—or there will be trouble." That is the way it would work. It is impossible to adopt any system of qualitative examination. No two men would agree on the quality of applicants.

I never could agree with some of my colleagues on the relative merits of this nation or that in the matter of immigration. I am sure that it would lead to chaos. While it looks ideal and simple, it is utterly impossible. [Applause.]

Mrs. BUELL. May I ask the Senator if he will tell us whether he considers the national-origins provision sufficiently accurate for the purposes of this law in which we are so deeply interested?

Senator DAVID A. REED. I do, indeed; and I am fortified in that by the testimony of Dr. Joseph A. Hill, who is the assistant to the Director of the Census, and one of the greatest statisticians and students of population statistics in the world.

Mrs. HARKINS. Senator REED, may I ask if the 1890 census represents very accurately the present population?

Senator DAVID A. REED. No; it does not at all. It gives a fair approximation of the two groups of northwestern Europe as against southeastern Europe, but it is quite unfair in the distribution of the quotas amongst those sections.

For example, about one-sixth of the population of America is of Germanic origin. That is all that is claimed by the German writers themselves, who have written on the German element here—one-sixth of our present population. And yet at present, under the 1890 basis, they have about one-third of all of the immigration that comes to this country. It is manifestly a discrimination against all the others. However, please understand that I cheerfully grant that the average German immigrant is as good as the immigrant of any other nationality. Usually they are law-abiding, peaceful, industrious people, and they make good immigrants, and I am not at all reflecting on them; but it is utterly unfair to give them twice as much representation in the quota as their element in America would call for. [Applause.]

Mrs. HAWKINS. Will the Senator tell us where the opposition to the national-origins originated?

Senator DAVID A. REED. Yes. I am going to be very frank about it. The present opposition comes from the German element and from the Scandinavian elements. Those two have at present a very much larger proportion of the quota than their representation in the American population would entitle them to, and so they are resisting very bitterly the effort to bring it down to the national-origins basis. It is not that their present quota is fair but that they assume that it is, and they assume that to bring it down to normal is an attack on them. As a matter of fact, nothing is further from our thought. I think both of those elements furnish excellent strains of immigration and nothing is further from our desire than to attack them. We want to be fair to them, but not more than fair.

The effort that we heard so much of during the last campaign to bring it up to the 1920 census is backed largely by the Jewish element from Poland and from the countries of southeastern Europe. All of those countries would gain very much by using the 1920 census of foreign born, because in recent years, as we all know, so many people came from those countries that the 1920 census shows a great proportion of foreign-born people from that source.

I thank you. [Applause.]

#### SUPPLEMENTAL REPORT

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to file a supplemental report to House Report No. 2314 on the bill H. R. 16720.

The SPEAKER. The gentleman from Iowa asks unanimous consent to file a supplemental report on House bill 16720. Is there objection?

There was no objection.

#### PRIVILEGE OF THE FLOOR

Mr. LAGUARDIA. Mr. Speaker, I desire to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LAGUARDIA. Mr. Speaker, to-day the House passed, by unanimous consent, a resolution from the Senate which I believe every Member was honored and pleased to vote for. The resolution extended the thanks of Congress to the entire crew of the steamer *America*. I desire to inquire if, under the rules—and it is better to have the matter settled now, I believe—every member of that crew would have the privilege of the floor?

The SPEAKER. The Chair thinks the proposition is covered in a sentence found in Rule XXXIII, that rule mentioning those who are entitled to the privilege of the floor of the House. After specifying a number of persons, like the President, Vice President, and so forth, there occurs this sentence:

Such persons as have, by name, received the thanks of Congress.

The Chair thinks that the words "by name" mean literally that they shall be named, and, therefore, it would not cover a class like the captain and crew of a ship.

#### MESSAGE FROM THE PRESIDENT—PHILIPPINE ISLANDS

The SPEAKER laid before the House the following message from the President.

The Clerk read as follows:

*To the Congress of the United States:*

I transmit herewith an act of the Philippine Legislature amending the corporation law of the Philippine Islands. This law, it being in certain respects in conflict with congressional legislation, requires the affirmative approval of Congress to make it in those parts effective.

The act has been approved by the Governor General of the Philippine Islands, it meets the approval of the War Department, and I earnestly recommend that the requisite approval be given by the Congress as speedily as practicable.

CALVIN COOLIDGE.

THE WHITE HOUSE, February 4, 1929.

The SPEAKER. Referred to the Committee on Insular Affairs and ordered printed.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. PARKS, at the request of Mr. DRIVER, on account of illness.

To Mr. KNUTSON, at the request of Mr. CLAGUE, for three days on account of sickness.

#### ENROLLED BILL SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 12404. An act authorizing erection of a memorial to Maj. Gen. Henry A. Greene at Fort Lewis, Wash.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 7200. An act to amend section 321 of the Penal Code: and

H. R. 12404. An act authorizing erection of a memorial to Maj. Gen. Henry A. Greene at Fort Lewis, Wash.

#### ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 32 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 5, 1929, at 12 o'clock noon.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, February 5, 1929, as reported to the floor leader by clerks of the several committees:

##### COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation before the committee.

##### COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To authorize and direct the Secretary of War to execute a lease with Air Nitrates Corporation and American Cyanamid Co. (H. R. 8305).

##### COMMITTEE ON WAYS AND MEANS

(10 a. m. and 2 p. m.)

Tariff hearings as follows:

##### SCHEDULES

Flax, hemp, jute, and manufactures of, February 5.

Wool and manufactures of, February 6.

Silk and silk goods, February 11, 12.

Papers and books, February 13, 14.

Sundries, February 15, 18, 19.

Free list, February 20, 21, 22.

Administrative and miscellaneous, February 25.

##### COMMITTEE ON RIVERS AND HARBORS

(10.30 a. m.)

To authorize the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor (S. 1710).

##### COMMITTEE ON APPROPRIATIONS

(10 a. m.)

Legislative appropriation bill.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

799. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Treasury Department for the fiscal year 1929, \$164,300, and for the fiscal year 1930, \$276,300; in all, \$440,600; also drafts of proposed legislation affecting the use of existing appropria-



tions (H. Doc. No. 548); to the Committee on Appropriations and ordered to be printed.

800. A communication from the President of the United States, transmitting supplemental estimate of appropriation pertaining to the legislative establishment, Library of Congress, for the fiscal year 1930, in the sum of \$1,140 (H. Doc. No. 549); to the Committee on Appropriations and ordered to be printed.

801. A letter from the chairman of the War Finance Corporation, transmitting the eleventh annual report of the War Finance Corporation for the year ended November 30, 1928 (H. Doc. No. 384); to the Committee on Banking and Currency and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MILLER: Committee on Naval Affairs. H. R. 15678. A bill to provide for the establishment of a rifle range in the vicinity of the navy yard, Puget Sound, Wash.; without amendment (Rept. No. 2349). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 15218. A bill to amend section 8 of the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; without amendment (Rept. No. 2350). Referred to the House Calendar.

Mr. ARENTZ: Committee on Indian Affairs. H. R. 10432. A bill for the relief of the Indians of the Klamath Reservation in Oregon; without amendment (Rept. No. 2354). Referred to the Committee of the Whole House on the state of the Union.

Mr. LETTS: Committee on Indian Affairs. S. 4222. An act to authorize the creation of Indian trust estates, and for other purposes; without amendment (Rept. No. 2355). Referred to the House Calendar.

Mr. ROY G. FITZGERALD: Committee on Revision of the Laws. H. J. Res. 399. A joint resolution providing more economical and improved methods for the publication and distribution of the Code of Laws of the United States and of the District of Columbia, and supplements; without amendment (Rept. No. 2358). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RANSLEY: Committee on Military Affairs. H. R. 1934. A bill for the relief of Rebecca E. Olmsted; with amendment (Rept. No. 2351). Referred to the Committee of the Whole House.

Mr. ROWBOTTOM: Committee on Claims. H. R. 9175. A bill for the relief of George W. McPherson; with amendment (Rept. No. 2352). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 14172. A bill for the relief of B. Frank Shetter; without amendment (Rept. No. 2353). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 4699. A bill for the relief of William H. Fleming; with amendment (Rept. No. 2356). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 7051. A bill for the relief of George W. Gilmore; with amendment (Rept. No. 2357). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 16838) granting the consent of Congress to Llewellyn Evans, J. F. Hickey, and B. A. Lewis, their survivors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Puget Sound within the county of Pierce, State of Washington, at or near a point commonly known as the Narrows; to the Committee on Interstate and Foreign Commerce.

By Mr. BRITTEN: A bill (H. R. 16839) to provide for investigation of sites suitable for the establishment of a naval airship base; to the Committee on Naval Affairs.

By Mr. CURRY: A bill (H. R. 16840) authorizing replacement of the causeway over Mare Island Strait, Calif.; to the Committee on Naval Affairs.

By Mr. GARBER: A bill (H. R. 16841) to amend sections 17 and 19 of the interstate commerce act as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: A bill (H. R. 16842) granting the consent of Congress to the State of Oregon and the Haynes Slough drainage district to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Haynes Slough, Coos Bay, Coos County, Oreg.; to the Committee on Rivers and Harbors.

By Mr. JAMES: A bill (H. R. 16843) to authorize appropriations for the Army Transport Service; to the Committee on Military Affairs.

Also, a bill (H. R. 16844) to authorize the maintenance of post exchanges and educational and recreational facilities at military posts and stations; to the Committee on Military Affairs.

By Mr. RANKIN: A bill (H. R. 16845) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. GOLDER: A bill (H. R. 16846) to authorize Hon. Joseph Buffington to accept certain decorations and orders tendered him by the Kingdom of Italy and the Republic of Czechoslovakia; to the Committee on Foreign Affairs.

By Mr. YON: A bill (H. R. 16847) to amend section 2 of the act, chapter 254, approved March 2, 1927, entitled "An act authorizing the county of Escambia, Fla., and/or the county of Baldwin, Ala., and/or the State of Florida, and/or the State of Alabama, to acquire all the rights and privileges granted to the Perdido Bay Bridge & Ferry Co. by chapter 168, approved June 22, 1916, for the construction of a bridge across Perdido Bay from Lillian, Ala., to Cummings Point, Fla."; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSON of Wisconsin: A bill (H. R. 16848) to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions; to the Committee on the District of Columbia.

By Mr. GRAHAM (by request): A bill (H. R. 16849) to amend section 22 of the longshoremen's and harbor workers' compensation act; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: A bill (H. R. 16850) to provide for the deportation of certain aliens, and for the punishment of the unlawful entry of certain aliens; to the Committee on Immigration and Naturalization.

By Mr. BOX: A bill (H. R. 16851) to clarify the law relating to the temporary admission of aliens to the United States; to the Committee on Immigration and Naturalization.

By Mr. ROY G. FITZGERALD: A bill (H. R. 16852) to amend section 2 of the act of February 12, 1927 (44 Stat. L. 1087; U. S. C. Sup. I, title 5, sec. 760, subdivision H); to the Committee on the Judiciary.

By Mr. LaGUARDIA: Joint resolution (H. J. Res. 404) to create a joint congressional committee to be known as the committee on narcotic traffic; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 16853) granting a pension to Mary E. Crow; to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 16854) granting an increase of pension to Avola Harchelrode; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 16855) for the relief of Fred M. Hopkins; to the Committee on Claims.

By Mr. ALLGOOD: A bill (H. R. 16856) extending benefits of the World War adjusted compensation act, as amended, to John J. Helms; to the Committee on World War Veterans' Legislation.

By Mr. BUTLER: A bill (H. R. 16857) for the relief of Wallace E. Ordway; to the Committee on Claims.

Also, a bill (H. R. 16858) for the relief of Lamm Lumber Co.; to the Committee on Claims.

By Mr. BYRNS: A bill (H. R. 16859) giving pensionable status to Mary Frances McConnell and her minor daughter, Frances Dinwoody McConnell; to the Committee on Pensions.

By Mr. CLANCY: A bill (H. R. 16860) for the relief of Joseph A. McEvoy; to the Committee on Claims.

By Mr. ENGLEBRIGHT: A bill (H. R. 16861) granting a pension to Olive B. Barnes; to the Committee on Invalid Pensions.

By Mr. ROY G. FITZGERALD: A bill (H. R. 16862) granting a pension to John Corbin; to the Committee on Pensions.

By Mr. GOLDER: A bill (H. R. 16863) granting an increase of pension to George H. Wicks; to the Committee on Pensions.

By Mr. GREENWOOD: A bill (H. R. 16864) granting a pension to Catherine Cushman; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 16865) for the relief of Lewis Frederick Boysen; to the Committee on Naval Affairs.

By Mrs. NORTON: A bill (H. R. 16866) granting a pension to Lester G. Cross; to the Committee on Pensions.

By Mr. PEERY: A bill (H. R. 16867) for the relief of H. E. Jones; to the Committee on Claims.

By Mr. SIMMONS: A bill (H. R. 16868) for the relief of Samuel W. Long; to the Committee on Military Affairs.

By Mr. STALKER: A bill (H. R. 16869) granting an increase of pension to Annie E. Mynard; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 16870) granting an increase of pension to Elizabeth A. Gordon; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 16871) granting an increase of pension to Marion F. Wild; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 16872) for the relief of Walter W. Adkins; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 16873) granting an increase of pension to Lillie S. Buck; to the Committee on Invalid Pensions.

By Mr. RANSLEY: Resolution (H. Res. 306) to pay Lillian Burns, widow of John C. Burns, six months' salary and funeral expenses; to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8569. Petition of Peace Pipe Chapter of the Daughters of the American Revolution, Denver, Colo., indorsing House Joint Resolution 11, adopting the official flag code of the United States; to the Committee on the Judiciary.

8570. By Mr. BROWNE: Petition of Wisconsin Rural Letter Carriers' Association, Wisconsin, urging Congress to enact into law the Browne bill (H. R. 10142); to the Committee on the Post Office and Post Roads.

8571. By Mr. CARSS: Resolution of the Minnesota Telephone Association opposing radio legislation of a regulatory character in the interest of any group of manufacturers or broadcasters, and favoring legislation in which regulation is limited to only such measures as are imperative to the public interest; to the Committee on the Merchant Marine and Fisheries.

8572. By Mr. CULLEN: Petition of the Brooklyn Chapter of the Reserve Officers' Association of the United States, urging the maintenance of an Army and Navy of proper proportions for adequate national defense; to the Committee on Military Affairs.

8573. Also, petition of the officers and members of the Eighth Assembly District Regular Democratic Club, of Kings County, N. Y., indorsing the Dale-Lehlbach retirement bill (S. 1727); to the Committee on the Civil Service.

8574. By Mr. CARSS: Resolution of Minnesota Telephone Association, urging Congress in connection with radio legislation to provide for and establish a communicative commission to have regulatory jurisdiction over wire lines as well as radio; to the Committee on the Merchant Marine and Fisheries.

8575. By Mr. FOSS: Petition of 78 citizens of Athol, Mass., protesting against the passage of House bill 78, known as the Lankford Sunday observance bill, together with letter from Horace Mann, of Athol, pertaining to the same; to the Committee on the District of Columbia.

8576. By Mr. KING: Petition signed by the retail shoe dealers, with their customers, submitted by Mr. John F. Block, of Knoxville, Ill., against any change in the present tariff on hides and leather used in the manufacture of shoes; to the Committee on Ways and Means.

8577. By Mr. KVALE: Petition of Northern Pine Manufacturers' Association, adopted at its annual meeting, unanimously opposing imposition of duties upon importations of lumber, shingles, and logs; to the Committee on Ways and Means.

8578. Also, petition of Martin and Hanna Rinde, urging passage of House bill 14676; to the Committee on Pensions.

8579. By Mr. LANKFORD: Petition of 138 members of St. Stephens Protestant Episcopal Church, District of Columbia, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8580. Also, petition of 85 members of Centennial Baptist Church, District of Columbia, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the

Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8581. Also, petition of 33 members of the Dumbarton Avenue Methodist Episcopal Church, District of Columbia, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8582. Also, petition of 16 members of Columbia Heights Lutheran Church, District of Columbia, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8583. Also, petition of 41 members of Westminster Presbyterian Church, Washington, D. C., urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8584. Also, petition of 301 citizens of the District of Columbia, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78) or similar measures; to the Committee on the District of Columbia.

8585. Also, petition of 3,966 from schools in the various Southern States, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

8586. Also, petition of 36 members of Eckington Presbyterian Church, District of Columbia, urging the enactment of legislation to protect the people of the Nation's Capital in their enjoyment of Sunday as a day of rest in seven, as provided in the Lankford bill (H. R. 78), or similar measures; to the Committee on the District of Columbia.

8587. By Mr. McCORMACK: Petition of Mrs. J. B. McDonnell, 776 Broadway, South Boston, Mass., protesting against the so-called Newton maternity bill and the equal rights amendment to the Federal Constitution; to the Committee on Interstate and Foreign Commerce.

8588. By Mr. MORROW: Petition of Paris Shoe Store, and other citizens of Albuquerque, N. Mex., in opposition to any change in the tariff on hides and leather used in the manufacture of shoes; to the Committee on Ways and Means.

8589. By Mr. O'CONNELL: Petition of the New York State College of Forestry at Syracuse University, Syracuse, N. Y., favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8590. Also, petition of the General Henry W. Lawton Camp, No. 21, United States War Veterans, department of New York, favoring the passage of the Knutson bill (H. R. 14676); to the Committee on Pensions.

8591. Also, petition of Wilcox & Van Allen, Buffalo, N. Y., favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8592. Also, petition of Albert D. Morstadt, New York City, favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8593. Also, petition of the New York Conservation Association (Inc.) favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8594. Also, petition of Jefferson Seligman, New York City, favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8595. Also, petition of J. G. Phelps Stokes, of New York City, favoring the passage of the Norbeck-Andresen game refuge bill; to the Committee on Agriculture.

8596. Also, petition of Guggenheimer, Utermeyer & Marshall, New York City, favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8597. Also, petition of the Westchester County Conservation Association, favoring the passage of the Norbeck game refuge bill (S. 1271); to the Committee on Agriculture.

8598. By Mr. QUAYLE: Petition of the New York Conservation Association (Inc.), favoring the passage of Senate bill 1271, the Norbeck game refuge bill; to the Committee on Agriculture.

8599. Also, petition of Frosts' Veneer Seating Co. (Ltd.), of New York, favoring the passage of the tariff on plywood under paragraph 410; to the Committee on Ways and Means.

8600. Also, petition of Naval Camp, No. 49, United Spanish War Veterans, of Brooklyn, N. Y., favoring the passage of the Knutson bill (H. R. 14676); to the Committee on Pensions.



8601. Also, petition of Morrison, Kennedy & Campbell, of New York City, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8602. Also, petition of General Federation of Women's Clubs, of New York, N. Y., favoring the passage of the Norbeck-Andresen game refuge bill; to the Committee on Agriculture.

8603. Also, petition of the New York State College of Forestry, Syracuse, N. Y., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8604. Also, petition of Ernest L. Smith Construction Co. (Inc.), of New York City, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8605. By Mr. ROBINSON of Iowa: Petition in favor of the Norbeck game refuge bill, signed by William Koch, teacher, and the members of the biology class of the Theodore Roosevelt High School, of Des Moines, Iowa; to the Committee on Agriculture.

8606. By Mr. SWING: Petition of residents of San Diego, protesting against House bill 78 for compulsory Sunday observance; to the Committee on the District of Columbia.

## SENATE

TUESDAY, February 5, 1929

(Legislative day of Monday, February 4, 1929)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the following bills of the Senate:

S. 4818. An act for the relief of hay growers in Brazoria, Galveston, and Harris Counties, Tex.; and

S. 5578. An act recognizing the heroic conduct, devotion to duty, and skill on the part of the officers and crew of the U. S. S. *America*, and for other purposes.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1347. An act to amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes," approved March 2, 1919, as amended;

S. 4036. An act to authorize the Secretary of War to transfer the control of certain land in Oregon to the Secretary of the Interior; and

S. 4739. An act authorizing the Secretary of the Treasury to sell certain Government-owned land at Manchester, N. H.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 13693. An act to authorize the Secretary of War to transfer a portion of the Camp Lee Military Reservation to the Petersburg National Military Park;

H. R. 13935. An act to provide for the purchase of a bronze bust of the late Lieut. James Melville Gilliss, United States Navy, to be presented to the Chilean National Observatory;

H. R. 14072. An act to authorize the sale and removal of surplus sand from the military reservation, Fort Story, Va.;

H. R. 14460. An act authorizing the Iowa-Nebraska Amortized Free Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River at or near Sioux City, Iowa;

H. R. 14472. An act to extend the time for completing the construction of a bridge across the Mississippi River at the city of Vicksburg, Miss.;

H. R. 14479. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio;

H. R. 14893. An act to authorize a preliminary survey of Rough River in Kentucky, with a view to the control of its floods;

H. R. 14924. An act to authorize the Secretary of War to grant to the city of Salt Lake, Utah, a portion of the Fort Douglas Military Reservation, Utah, for street purposes;

H. R. 15201. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky., and Aberdeen, Ohio;

H. R. 15657. An act to provide for the improvement and preservation of the land and buildings of the Abraham Lincoln National Park or Reservation;

H. R. 15714. An act to extend the times for commencing and completing the construction of a bridge across the Ocmulgee River at or near Fitzgerald, Ga.;

H. R. 15809. An act to authorize a preliminary survey of Mud Creek, in Kentucky, with a view to the control of its floods;

H. R. 15851. An act to extend the times for commencing and completing the construction of a bridge across the Allegheny River at Kittanning, in the county of Armstrong, in the State of Pennsylvania;

H. R. 16026. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.;

H. R. 16035. An act to extend the time for completing the construction of a bridge across Port Washington Narrows, withing the city of Bremerton, State of Washington;

H. R. 16208. An act authorizing the Cedar Point Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the southeast arm of Sandusky Bay at or near Sandusky, Ohio;

H. R. 16270. An act to revive and reenact the act entitled "An act granting the consent of Congress for the construction of a bridge across the St. John River between Fort Kent, Me., and Clairs, Province of New Brunswick, Canada," approved March 18, 1924;

H. R. 16279. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at Augusta, Ky.; and

H. R. 16440. An act relating to declarations of intention in naturalization proceedings.

The message also announced that the House had adopted a concurrent resolution (H. Con. Res. 46) amending section 6 of the House concurrent resolution establishing the United States Yorktown Sesquicentennial Commission, in which it requested the concurrence of the Senate.

### CONSTRUCTION OF CRUISERS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	George	McNary	Simmons
Bayard	Gerry	Mayfield	Smith
Black	Gillett	Moses	Steck
Blaine	Glass	Neely	Steiwer
Blease	Glenn	Norbeck	Stephens
Borah	Goff	Norris	Swanson
Bratton	Gould	Nye	Thomas, Idaho
Brookhart	Greene	Oddie	Thomas, Okla.
Burce	Hale	Overman	Trammell
Burton	Harris	Phipps	Tydings
Capper	Harrison	Pine	Tyson
Caraway	Hastings	Pittman	Vandenberg
Copeland	Hawes	Ransdell	Wagner
Couzens	Hayden	Reed, Mo.	Walsh, Mass.
Curtis	Hedin	Reed, Pa.	Walsh, Mont.
Dale	Johnson	Robinson, Ark.	Warren
Deneen	Jones	Robinson, Ind.	Waterman
Dill	Kendrick	Sackett	Watson
Edge	Keyes	Schall	Wheeler
Edwards	King	Sheppard	
Fess	McKellar	Shipstead	
Frazier	McMaster	Shortridge	

Mr. NORRIS. My colleague the junior Senator from Nebraska [Mr. HOWELL] is unavoidably detained from the Senate by illness.

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. JONES. I wish to announce that the Senator from Rhode Island [Mr. METCALF], the Senator from Connecticut [Mr. BINGHAM], and the Senator from New Mexico [Mr. LARAZOLO] are absent on account of illness.

The VICE PRESIDENT. Eighty-five Senators having answered to their names, a quorum is present. The question is on the amendment of the Senator from Missouri [Mr. REED] to the amendment of the Senator from Idaho [Mr. BORAH].

Mr. BRUCE. Mr. President, I ask that the amendment to the amendment be read.

The VICE PRESIDENT. The clerk will read the amendment to the amendment.

The CHIEF CLERK. In lieu of the language proposed by Mr. BORAH insert the following:

First. That the Congress favors a treaty, or treaties, with all the principal maritime nations regulating the conduct of belligerents and